

A History of the First Thirteen Years
of the Church of
St. Alban the Martyr,
HOLBORN.

THE CHURCH

IN

BALDWIN'S GARDENS.



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THE CHURCH

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BALDWIN'S GARDENS:

BEING

A HISTORY OF THE FIRST THIRTEEN YEARS OF
THE CHURCH OF

ST. ALBAN THE MARTYR, HOLBORN.

*Published under the Authority of the St. Alban's Defence
Committee.*

“My Lords, Saint Alban here hath done a miracle.”

King Henry VI. Part II. Act II. Scene I.



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TO
THE RIGHT HONOURABLE W. E. GLADSTONE, M.P.,
THE DEDICATION OF THE FOLLOWING PAGES
IS MOST RESPECTFULLY OFFERED,
AS A SLIGHT TOKEN OF THEIR GRATITUDE
FOR HIS
NOBLE AND UNSUPPORTED DEFENCE OF THE RIGHTS OF THE
CHURCH OF ENGLAND,
AS EXHIBITED MORE PARTICULARLY
ON THE OCCASION OF THE RECENT DEBATE
ON THE PUBLIC WORSHIP REGULATION BILL;
BY THE
ST. ALBAN'S DEFENCE COMMITTEE.

P R E F A C E .

THE following pages are put forth by a Committee of Laymen, either belonging to the Congregation of St. Alban's, Holborn, or intimately associated with that Church, who have formed themselves into a body, under the name of the " St. Alban's Defence Committee." The reason for the existence of such a body requires but few words of explanation ; the reason for its non-existence at a much earlier date should perhaps be mentioned first ; and it is probably due to a fault that is common to many Congregations, namely, that however much individuals may have the welfare of their particular Church at heart, they do not collectively labour for it. That every individual

member of this large Congregation had an intense feeling of devotion to their Church, is amply demonstrated by the course they took on the occasion of renewed prosecution against their Parish Priest, as set forth in the following pages. They had suffered with him under former trials, when he had, for the sake of peace, abandoned several usages to which they had become attached from long custom ; and their list of subscriptions to the “ Defence Fund ” on that former occasion will prove that their feeling of love and reverence to him and their Church was very real. It needed then but the rumour of a renewed attack to knit together the hearts of this large Congregation as the heart of one man ; and this Committee was elected at a public Meeting to represent the Congregation and to carry out the details of the work of defence, to which they had devoted themselves. It is a representative Committee, including men of all ranks ; each individual sharing, in common with every member of the Congregation, the deepest attachment to the Church of St. Alban’s and its services. All that they hold dear in Religion is centred here ; for it is here that each and

every one has found that the doctrines of the Catholic Church in this Country are fully and fearlessly taught; that the Clergy prove by their consistent and self-sacrificing lives, as admitted even by their opponents, that they have no other aim or desire in life but the spread of the Redeemer's Kingdom among the too neglected poor; and that here they can obtain without stint the Bread of Life; the Ministry of Reconciliation; and all other Means of Grace.

The Committee having completed the business for which it was more immediately called together, conceived the idea of publishing a History of St. Alban's. The work was begun, but suspended for a time until fresh events gave an impetus to the idea, which has resulted in the present volume. It will be observed that this contains little more than a statement of facts, for the accuracy of which the Committee holds itself responsible. The object of the work is not controversial; it does not aim at making proselytes. Each member feels that, while he has, in most instances against much prejudice and many objections, found the full satisfaction and great peace of a complete

acceptance of Catholic teaching, and while he earnestly prays for the time when all shall arrive at such a complete knowledge of the Truth that there shall be no more dissension, the Church of England wisely embraces within its fold members holding at least two other distinct classes of opinions. The object of this volume then is, first, to present such a simple statement of facts as may tend to dissipate prejudice and remove misconceptions ; and to show to practical men and women that there is a real and vital energy in the work carried on here ; the natural expression of which by means of Ritual seems so to have offended some. Those who are responsible for this work, and those under whose commission it is written, have the fullest sympathy with the ignorance which is opposed to the truths which they hold most sacred ; for they have, as has been said, encountered the same difficulties themselves ; but they fear that it must, for the sake of truth, be added, that there is another class of people with whom they cannot have such sympathy. There are, unhappily those who are opposed to the cause advocated, who are not actuated by a

sincere desire for the spread and triumph of the Christian Religion; and they are compelled to this opinion by the fact, that these persons are the aggressors; and that while they are notably offenders against the ecclesiastical law, they invoke the aid of Secular Courts to prosecute their brethren; instead of appealing to the constitutional representatives of the Church. On the other hand, it is to be noted, that there is no single instance of the Catholic party ever interfering in the slightest degree with those who do not agree with them. There are only too numerous instances in which they might so interfere; and it must be added that many are instances of grossest neglect of plain duties; but they recognize the fact that long years of apathy have injured the Church, and that every Christian feeling obliges them to love their opponents, and to pray for the time when "there shall be one fold and one Shepherd." The second object of this book then is to show the animus of those who have sought to hinder the work which it will be seen is being carried out in the parish of St. Alban's; and it is felt by the Committee that

this question may safely be left to the judgment of the reader.

The Committee have, in conclusion, to thank those who have, by their liberality, rendered the production of this book a possibility.

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CHAPTER I.

OUR PARISH.

The state of this parish is not ascertained by a walk through its better known parts and boundaries : Holborn, Leather Lane, Gray's Inn Lane, and Liquorpond Street. One who has known the district since 1862, thus writes of its condition. "Clean and decently-dressed people rarely ventured to go about its courts and alleys. If any did, it was at the risk of being assailed with dirty missiles and filthy language, to show the resentment of the inhabitants at such unwonted intrusion within their privileged precincts. The very policemen went seldom, and then in pairs."

Probably one-sixth of the parish is occupied by Messrs. Reid's Brewery, Furnival's Inn, and by various workshops and factories, so that overcrowding of dwellings is terrible, and one of the very worst evils existing in the parish. Of this, its population (8325 in the year 1872) and its territorial limits (only 500 yards by 200 yards) are sufficient proofs.

Lastly, it may be observed that the Church stands on the former site of one of the most horrible dens of wickedness, and that the Font now occupies a spot formerly a notorious Thieves' Kitchen.

The first religious service (a Litany and instruction) in this wilderness of sin and misery, was held on Sunday, May 11th, 1862, in the room over the costermonger's fish shop, at the corner of Baldwin's Gardens, opposite the new schools. There was a somewhat riotous congregation, and not a little interruption from those who came in *to lark*. Moreover, the staircase was dark and rickety, and the room so much infested with vermin, that, in June, the services were removed to "the cellar."

This cellar, was the basement of Mr. Knott's house, in Greville Street, and was about twenty feet long. The printing machines overhead rattled down dust on the worshippers beneath. The printer's boys, in the midst of Evensong, used to come down to turn on the gas for the rooms above, borrowing chairs from the congregation to enable them to reach the meter. The *gamins* of the neighbourhood crowded round the windows of the house, and noisily

joined in the Gregorian tones which proceeded from the basement.

The services were conducted here for nine months ; and from Whitsun Day, June 8th, 1862, consisted on Sundays, of Holy Communion, 8 A.M. : Mattins and Sermon, 10 A.M. : Litany and School, 3 P.M. : Even song at 7 P.M., with extra services on Holy and other days. Although the ecclesiastical furniture of the cellar consisted only of a temporary altar, a few chairs, and some matting, yet from the first, Holy Communion was celebrated with lights, the priest wearing alb and chasuble of white linen, with black stole and maniple. In other words, the work was real, and the ritual and principles thoroughly consistent with their subsequent manifestations.

Lord Leigh and the Hon. J. G. Hubbard were the two benefactors to whom St. Alban's owes its existence. The former being the donor of the site, the latter of the Church, with its furniture, and £5000 in the Three per Cents. as. endowment ; in addition to which he gives the use of a house for the Clergy, and £100 a year for each of two Curates.

The Church was consecrated, February 21st, 1863, by Bishop Tait, who celebrated and preached. The

next day, at the invitation of the founder, Bishop Bickersteth preached. On the following Sunday, Bishop Gray celebrated, and during the celebration stood in the now disputed eastward position.

A slab over one of the entrances of the Church informs us that the erection was designed for the glory of God, and the use of the poor.

That the pious wish of the founder has been fulfilled the following pages amply demonstrate; and here we may at once and for ever correct the false impression that exists in some minds that he was misled in his choice of first Incumbent. We cannot do this better than in Mr. Mackonochie's own words taken from his address to his people, St. Alban's day, 1874.

“Occasion has been taken from an electioneering *manifesto* of Mr. Hubbard's, to, at least, insinuate that I exerted myself to obtain my appointment to this Church, and succeeded, under false pretences. So wide a license is conceded to candidates at an Election, that I should have passed this by unnoticed—as I did some time ago a similar passage in a letter of Mr. Hubbard's to the *Times*—were it not that this statement, printed in large letters on a con-

spicuous placard, has been posted for some months on the outer wall of the School in Baldwin's Gardens, leased by Mr. Hubbard to Mr. Martin's committee. I wish therefore to say—"

"1. That I never was a candidate for, or sought, in any way whatever, the position which I now hold : indeed, that I have always thought it wrong for a Priest to seek after any particular cure of souls."

"2. That when the subject was named to me, I refused to entertain the idea, except on the condition that I should be absolutely free, and unfettered by any understandings except those which bind me as a Priest of the Church of England."

"3. That, so far was I from recommending myself, that I strongly urged all the objections which seemed to me likely to arise in Mr. Hubbard's mind against me ; so that, on the day on which Mr. Hubbard resolved to offer me the Incumbency, a friend writes from his house to me, 'I pray you, for the love of our dear LORD, to raise no further difficulties. None need be raised. Mr. Hubbard has had put before him honestly, by myself—all that may be in you, different from what he might wish.'"

"4. That, being asked by a friend of Mr. Hubbard

as to the principles of Doctrine and Worship on which I should desire to work here, I stated exactly those which have come to be called 'Ritualistic;' and said that I did not believe any 'M.P.' would give me a 'Living' on the terms I stated: this letter was sent on to Mr. Hubbard."

"5. That, although unaware of it at the time, I became aware some time before I was nominated, that Mr. Hubbard closely observed me during the whole of my ministry at St. George's in the East, with a view to making up his mind."

"6. That during the six months in which we had Services in a licensed room, before I was licensed as Incumbent of the Parish, I used, at the Celebration of the Holy Communion, Lights, and Eucharistic Vestments of white linen, at a time when I believe that at no other place in the Diocese any Vestments except Surplice and Stole were worn. A Vestment similar to the one which I was then wearing was also among the things given by Mr. Hubbard to the Church on its consecration."

"7. That the principles on which I purposed to act, and on which I have striven to act, are well described by Mr. Hubbard as 'A hearty allegiance to

the Church of England—neglecting none of the means of edification which she supplies either in Doctrine or in Ritual, but using the large liberty which she allows with loyalty and discretion—remembering that the one great object for which the Church is founded is the salvation of souls.’ ”

“ I know that Mr. Hubbard would be the last man to wish to impugn any of these facts : but as others have misinterpreted his words, and otherwise dealt with them in ways for which he is not responsible, I am obliged to say this much, to give you an answer to the imputation with which I know that our opponents at times reproach you, that your Priest is an ‘ immoral swindler.’ ”

“ That in any way the work done here should be a sorrow to a man who deserves so well of this Parish, and of the Church of England at large as does Mr. Hubbard, must always be a grief to me. It was the fear of this which made me so reluctant to be appointed priest in this place, and compelled me to make it so plain from the first that I could not accept the responsibility of such a Parish, except on the basis that my duty to God and to the souls of His people, according to the best judgment I could form

of it, would have to be paramount over every other consideration. The point I kept before myself, and as forcibly as I could pressed on others, was that when once a Priest was licensed to the Parish, and the Church consecrated, the work would be neither his nor Mr. Hubbard's, but God's. With the Priest, as God's Steward, would rest the responsibility, and, therefore, with him alone, after such security for sound judgment as he might be able to take, must rest the decision for which he alone would answer at the Judgment."

Mr. Hubbard himself writes in 1863, "I have the strongest assurance for my confidence, that Mr. Mackonochie, as a faithful and true priest of the Church of England, will affectionately teach, and discreetly guide, the souls committed to his charge." And we may illustrate this reference to discreet guidance, by Mr. Hubbard's own words. "In all ages, there have been persons inferior, neither in holiness of life, nor intellectual vigour, who have found, or thought they found, the practice of private Confession helpful to the attainment of yet higher degrees of holiness." Again, "it must be obvious that in dealing with the neglected, ignorant, and vicious population of

our great cities, many of all ages must be met with, so cased in ignorance and steeped in sin, that their whole moral nature needs to be dissected, and their darkened lives brought to the light of day, before they can be taught to understand the holiness of God and the sinfulness of man. In such cases it is quite possible that special Confession to the priest may afford the most effectual means towards enlightening the mind and converting the heart ; and if it be found that through private Confession, and by the grace of Absolution, the depraved can be purified, and the pure become holier, who shall dare to deprive either class of their liberty of action ? The attempt would be as futile as it would be profane." "*Ritual Revision.*" J. G. Hubbard. Longmans, 1874.

May we not also further conjecture, that as he has said " so bewildering and contradictory are the arguments and judgments of the Judicial Committee," Mr. Hubbard, himself a Privy Councillor, and ourselves agree in determination to defend our own conscientious practices, undeterred by the threat of law. " For St. Alban's Church, as I delivered it into the hands of your Lordship, I was alone responsible ; and such as it then was, I would alone have defended

it against any hostile proceedings."—*Letter to the Bishop of London, May, 1868, from J. G. HUBBARD.*

Having vindicated so far the integrity of Mr. Mackonochie's conduct, by establishing his disinterestedness in accepting such a charge as St. Alban's, and by proving incontestibly that the patron transferred him from St. George's-in-the-East, with a full and stipulated freedom of action, it remains to show, with the utmost brevity, the effect of his appointment on the spiritual destitution of the district.

Now, the worst evils of such districts as St. Alban's, may concisely be summed up under three heads : practical heathenism, disregard for purity, and poverty ; we therefore ask, has there been any large growth of reverence for holy things ? Is there increased appreciation of the sanctity of marriage ? And what has been the money imported into the district by the channel of the Offertory and private gifts ?

The following Table, from authentic sources, answers these Questions :—

	1863	1864	1865	1866	1867	1868	1869	1870	1871	1872	1873	1874
Baptisms . .	295	216	248	410	381	417	537	465	420	428	407	338
Marriages . .	5	6	4	12	15	22	24	28	23	21	18	12
Easter Commu- nicants . .		291	453	515	521	569	489	467	567	548	469	519
Total No. of Communicants }		3293	4765	17392	18271	16251	15842	12592	13446	13373	14204	12500
No. of Celebra- tions . . }		426	451	643	725	717	844	861	901	861	888	877
Offerory . . .	£541	911	1548	2184	2066	1864	1671	1592	1143	1541	1165	1899

The statistics here given will probably be intelligible to the meanest capacity, and what is probably an equivalent phrase, to the most prejudiced reader; but the subject is so important to our cause, that we must approach it from another side.

In what we are saying we have no wish to draw invidious comparisons between our own and other parishes; happily, active work is not now confined to one parish or one school of thought; but at least the following statement may be contrasted with the state of the District when, as a part of a City Parish, it had to share with so many others the means at the disposal of the Rector of St. Andrew's.

CHAPTER II.

CHURCH WORK.

1. *The Infant Nursery*: where mothers, engaged in work all day, leave their infants to tender and skilled care, instead of the chances of intermittent attendance from neighbours, or the miseries of solitude, with the probabilities of danger from fire or death. The average number is 28 daily, and the cost £150 per annum.

2. *Choir House*: the home of the choir boys and one of the clergy. An indispensable requisite, where daily services have to be rendered with any high degree of musical efficiency. A good education is also here given to the sons of Clergy and others, at a small cost to their parents.

3. *The New Schools*: built by voluntary contributions at a cost of £6000, having on the books 510 children, whose education costs £529.

			Day.		Sunday Morning.	Sunday Afternoon.
Boys.	Average Attendance	..	193	..	100	.. 119
Girls.	„	..	136	..	72	.. 91
Infants.	„	..	160	..	45	.. 70
TOTALS			217	280

4. *Soup Kitchen* : assisting 150 families weekly ; dispensing on an average 55 gallons weekly from October to May.

5. *Meat Dinners* : three times a week to about 25 sick and ailing people.

6. *Sick Relief* : given to 60 or 70, nightly, in winter, to 20 or 30 in summer ; consisting sometimes of simple medicines, under medical advice ; necessities for dressings and bandages ; linen ; milk for children and fever cases ; food and stimulants. These items, in 1873, cost £327.

7. *Blanket Loan* : 200 blankets lent from November to May. The necessity for this charity may be seen by any one examining a returned blanket, which often comes back in such a state, as scarcely to entitle it to be called a blanket, because it has constituted the sole bedding of the recipient for six months. Begun in 1873.

8. *Lying-in Charity* : Eight boxes of linen in constant request, 1863.

9. *Clothing Fund* : The applicants here are “ a woman to be made decent for a day’s charring ; a man or boy to be turned out respectable before answering an advertiser ; a patient to be clad for a Convalescent Home ; shoeless and stockingless children before admission to Schools.”

10. *Work Charity*: supplying materials at cost price, which are then cut out, and given out to be made, the work being paid for at a moderate price. Begun in 1863.

11. *Breakfasts for destitute boys*: Seventy on Sunday morning, to boys of the lowest class. The work of a Guild.

12. *Sunday dinners* to fourteen poor families during six months of the year. The work of the same parochial Guild.

13. *Coal Charity*: 30 cwt. was the largest donation that our poverty allowed to be given in one week of very severe weather, which was far below the wants of the deserving poor.

14. *Savings' Bank and Clothing Club*, with 300 subscribers; 1863.

15. *Shoe Club* for children, from 1864.

16. *Night Schools for Girls*: about 90 in number above 12; three days in the week; forty-four weeks in the year.

17. *Night Schools for Boys*: Summer average, 40; winter, 70.

18. *Mothers' Meetings*, every week since 1863; number of attendants, 60.

The following agencies are more directly spiritual than those already enumerated:—

19. The Youth's Institute, for boys in the parish.

20. The Guild of St. John the Evangelist, for boys under 18.

21. Brotherhood of Jesus of Nazareth, for working men.

22. Guild of the Holy Redeemer, for laymen willing to work in the parish.

23. Guild of St. Mary the Virgin, for girls, meeting every Sunday since 1867.

24. Guild of St. Martha, for young women in factories, etc., extending its aid to all, not excepting those not eligible for other Guilds.

25. Guild of the Holy Family, for married women, numbering about 50, commenced in 1870. "A great proof of the benefit arising from this Guild lies in the fact, that husbands, careless of their own lives, are very anxious as to their wives keeping their Guild rules, being well aware that these carried out, bring more peace and order into their one wretched room, and more forbearance towards themselves."

26. A branch of the Sisters of St. John the Baptist, Clewer.

27. A Burial Society, with its own grounds in Woking Cemetery.

St. Alban's Working Men's Club, 35, Brook Street,

although mentioned here, is managed by its own Committee and is self-supporting; it was first suggested and mainly helped into existence by one of the Clergy and a lay friend, and is founded for social intercourse and recreation, on the basis of a West End club. It numbers 250 members, and its aim is to guard men from the temptations of the public house.

So far we have spoken of Mr. Mackonochie's disinterestedness and zeal, and we have demonstrated, moreover, an enormous power on his part, of evoking or attracting lay help, and of organizing and retaining it when called forth, gifts not always combined; and although accused of Romish tendencies, experience teaches that Mr. Mackonochie's helpers, are as singularly faithful to the Church of England, as they are pre-eminently zealous.

Let it be remarked also, that no account is here rendered of the Retreats, and Missions procured for us; or of the services to the Church at large, by the Retreats and Missions, conducted in other places by the St. Alban's Clergy; of the large private incomes expended in the Parish; and of the silent influence of a resident clergy, living a most blameless Christian life.

Tested by his work, the only true criterion of sterling worth, Mr. Mackonochie must be regarded as a true son of the Church of England; and any one capable of a large-minded view of Christian duty, would regard him as no object for theological rancour, but would say, if only for his works' sake, let him alone. With regard to his position at the bar of public opinion, it should be remembered, that there are facts, which, however patent to us, are not generally known. We therefore append them here.

1. From the Consecration of the Church, in 1863, with but two exceptions, no other than the Eastward position has ever been taken by the Celebrant.

2. Besides the cassocks, surplices, and linen chasuble given by the patron, white and red silk vestments were presented in the autumn of the same year, 1863, by members of the first congregation of St. Alban's, but their use was postponed by the Incumbent until he felt satisfied that the foundation of an intelligent faith had been laid deeply and widely enough to make them edifying.

3. In the Lent of 1864, coloured stoles were used.

and in this autumn the first thurible was presented to the Church, unsolicited by the clergy.

4. In that year, 1864, the ritual of the Celebrations assumed a more ornate character. Unleavened Bread, Mixed Chalice, Lights, and Vestments had been used from the first; and now Incense, richer Vestments, and more elaborate music rendered the ritual more in accordance with the teaching and practice of the whole Catholic Church.

Thus the noble work, which we have shown to exist, was the product of "Ritualistic practices," and accompanied from the first by ornate ceremonial. There was no forcing ritual on an unwilling congregation, no innovation on established usage, no substitution of ornate Ritualism for earnest pastoral work. The patron was a High Churchman; the incumbent selected was the curate of Mr. Bryan King; and the parishioners, so far from being hostile, protested indignantly at Mr. Mackonochie's prosecution: nearly 2000 communicants protesting in 1874, of whom 500 resided within the Parish.

It is not within our province to expatiate upon the work thus being carried on, nor will our space permit us to detail the events of the succeeding two years;

it must not, however, be supposed that it was a time of peace ; on the contrary, constant interference from outsiders greatly hindered the work, St. Alban's became the subject of newspaper controversy, and the Church Association commenced its " detestable Law-suits," which will be treated of in the next Chapter.

CHAPTER III.

PROSECUTION.

- | | |
|--------------------|--|
| 1867, March 28th. | The Bishop of London sent letters of request to the Court of Arches. |
| April 5th. | Mr. Mackonochie cited by Dr. Lushington. |
| June 15th. | Martin <i>v.</i> Mackonochie begins before Dr. Lushington. |
| Dec. 4th. | Martin <i>v.</i> Mackonochie begins before Sir R. Phillimore. |
| 1868. March 28th. | Judgment delivered by Sir R. Phillimore. |
| Nov, 17th to 20th. | Martin <i>v.</i> Mackonochie argued before Judicial Committee. |
| Dec. 23rd. | First judgment on Appeal delivered by Lord Cairns. |
| 1869. Jan. 14th. | And confirmed by Order in Council. |
| Jan. 19th. | Issue of Monition from "Her Majesty's Court of Appeal." |
| Dec. 2nd. | Church Association, through Mr. Martin, delates Mr. Mackonochie to the Privy Council for disobedience to Monition. |

1869, Dec. 4th.	Lord Hatherley's Judgment.
Dec. 4th. to 11th	In this time Mr. Martin instructs his solicitor to proceed.
1870, March 3rd.	Mr. Martin charges Mr. Mackonochie with sanctioning elevation and prostration.
March 25th.	Mr. Martin withdraws from the Prosecution.
July 25th.	He resumes it.
Advent Sunday.	Lord Chelmsford suspends Mr. Mackonochie.
1874, May 22nd:	Fresh suit Martin <i>v.</i> Mackonochie in Court of Arches.
Dec. 7th.	Sir R. Phillimore's Judgment in the above, against which Mr. Mackonochie appealed.
1875, May 21st.	Mr. Mackonochie withdraws his appeal against the decision, because it would be heard by Judicial Committee.
June 12th.	Mr. Mackonochie suspended for six weeks.

On reading this terrible catalogue of incessant legal proceedings, the general reader shrugs his shoulders, and supposes that Law, and presumably Justice, have been satisfied ; and that, however hard the selection for prosecution of such a man, nothing remains to be said, but "the Law must take its course."

To the question, of the equity and justice of this course, we now address ourselves in the following paragraphs.

1. The Bishop of London allowed Mr. Martin to promote his Lordship's office, although it was competent for him to refuse his permission.

2. "Mr. Martin is not legally speaking a parishioner of St. Alban's, nor of course a Churchwarden, a part of whose office it is to represent to the Ordinary any misconduct on the part of the Incumbent."* In fact, Mr. Martin resided at 9, Montague Place, Russell Square, in the Parish of St. George's, Bloomsbury: his office was at 2, New Square, Lincoln's Inn, and his qualification was simply that his name was on St. Alban's Parish rate-book, for some schools of which he was Secretary. Mr. Martin took up the case because, to use his own words, "the then Bishop of London (now Archbishop of Canterbury) considered I was more suited to be promoter of the suit than the resident parishioner whose name had been submitted to his Lordship on the sudden death of the first promoter. I personally should

* Judgment of Sir Robert Phillimore. 2nd Report Royal Commissioners, 1868:

not have moved, and was reluctant to give my name.”

3. The real prosecutor was, and is, an Association, which has been correctly described by no less a person than the Bishop of Peterborough, as “The Persecution Company, Limited.”

4. As Mr. James pleaded before the Court of Arches “the charges against him (Mr. Mackonochie) are reduced to this—that he used a gesture or posture of too much reverence, or of reverence in a wrong place, an unnecessary light, an unnecessary ornament, the use of a sweet-scented drug or mixture of drugs, and adding to the Sacramental Wine a few drops of water, to which, as it seems to me, it is utterly impossible to attach any objectionable doctrine or view of any kind whatever.”

5. The charges in 1867, are comprised under the following heads:—

I. The Elevation.

II. Kneeling.

III. The use of Incense ceremonially.

IV. The use of Incense generally.

V. The mixed Chalice.

VI. The use of lighted candles.

The main proposition upon which these criminal charges rest, is that these matters, “are all in effect, rites and ceremonies, other than, and additional to, those prescribed in the Prayer Book, and the Act of Uniformity.”

The injustice of such a charge of unlawfulness made against Mr. Mackonochie, is demonstrated by Sir Robert Phillimore’s own words, in his Judgment (page 372. *2nd Report Royal Commissioners*, 1868):—

“Perhaps there is no historical fact more certain than this, namely, that the law derived from the rubrics and canons, has never at any period since the Reformation been universally and duly obeyed. The proposition is startling, but I think unquestionably true. The instances of disobedience are striking, if not many: take as one example, the vestments of the clergy.” And again, “I refer to this notorious fact of general disobedience to the law in these respects, because a revived obedience to it not unnaturally excites the surprise, and sometimes the anger, of persons who have been habituated to a more relaxed and less careful system. A compliance with the law has the effect of novelty upon them; and they are apt

to consider as illegal, not the desuetude of a prescribed usage, but the restoration of it." (p. 373. *Ibid.*)

6. One head of argument under which Mr. Mackonochie was assailed was, that these practices were "by necessary implication prohibited, inasmuch as they are connected with Roman, or Popish, doctrines."

This charge remains in the popular mind, contrary to the testimony of Mr. Mackonochie's enemies, who make ceremonial and not doctrinal charges; and in spite of Sir Robert Phillimore's exhaustive proof of the identity of the Church, before and after the Reformation, which he concludes with these words (p. 372.) "These premises, which I have stated at some length, lead me to the conclusion that no sound argument against the lawfulness of the matters objected to in these articles can be deduced from the mere fact of their identity with the ceremonies in use before the Reformation."

7. The hardship of this prosecution may be seen by still further quotations from Sir R. Phillimore's Judgment.

I. As to the charge of Elevation above the head.

"This elevation, Mr. Mackonochie asserts, and it

is not denied, that he discontinued before the institution of this suit." "His present practice is not complained of; and *some* elevation the rubrics of the present Communion Service must contemplate, when they order as follows: 'Here the Priest shall take the paten into his hands:' that is, into both his hands; subsequently to which he is ordered to break the bread. So also, when he is directed to take the cup into his hand, *there must be some elevation* from the Holy Table." (pp. 384, 385. *Ibid.*)

II. "With respect to the charge against Mr. Mackonochie of kneeling, or prostration before the Eucharist." "It is true that the Rubric does not give precise directions that the celebrant himself should kneel, at the times when it appears that Mr. Mackonochie does kneel; but I am very far from saying, that it is not legally competent to him, as well as to the other priests and to the congregation, to adopt this attitude of devotion." "Moreover, in my opinion, if Mr. Mackonochie has committed any error in this respect, it is one which should not form the subject of a *criminal* prosecution, but belongs to the category of those which should be referred to the Bishop, etc." (p. 385. *Ibid.*)

III. As to the charge of using incense ceremonially.

On this practice, discontinued under protest by the defendant, before the suit began, as was well known to the promoter, the Judge's sentence is :—

“ Although, therefore, it be an ancient, innocent, and pleasing custom, I am constrained to pronounce that the use of it by Mr. Mackonochie, in the manner specified in both charges, is illegal, and must be discontinued.”

IV. This was declared legal.

V. As to the charge of mixing water with the wine.

Here, too, the Judge's sentence carries acquittal, while wrongly, as it is believed by many, pronouncing the admixture during the service illegal.

“ The mingling a little pure water with the wine is an innocent and primitive custom, and one which has been sanctioned by eminent authorities in our Church; and I do not say that it is illegal to administer to the communicants wine in which a little water has been previously mixed : my decision upon this point is, that the mixing may not take place during the service, etc.” (p. 388. *Ibid.*)

VI. As to lighted candles on the table.

Sir Robert Phillimore's decision is:—

“ Inasmuch, therefore, as I think that the Injunctions which order these two lights were issued under statutable authority, and have not been directly repealed by the like authority; inasmuch as they are not emblematical of any rite or ceremony rejected by our Church at the time of the Reformation; inasmuch as they are primitive and Catholic in their origin, Evangelical in their proper symbolism, purged from all superstition and novelty by the very terms of the Injunction, which ordered their retention in the Church; I am of opinion that it is lawful to place two lighted candles on the Holy Table during the time of the Holy Communion, ‘for the signification that Christ is the very true light of the world.’”
(p. 397. *Ibid.*)

“The opinion of Bishop Cosin (vol. v., p. 65, ed. 1855), a high authority upon this subject, appears to me sound. ‘The book,’ he says, ‘does not everywhere enjoin and prescribe every little order that should be said or done, but takes it for granted that people are acquainted with such common [*sic*] and things always used already. Let the Puritans then here give over their endless cavils, and let

ancient customs prevail; the thing which our Church chiefly intended in the review of this service.' This reasoning therefore brings me to the conclusion, that from the mere silence of the rubric a positive prohibition cannot in all cases be inferred." (p. 381. *Ibid.*)

Thus triumphantly was vindicated, by one of our most learned and able Judges, the innocence and fidelity of Mr. Mackonochie, not only in those points on which he was acquitted, but even in points given against him, from defect of formal legal proof in our existing formularies, or from accidental omissions in documents confessedly never intended to be exhaustive in their directions.

8. But to continue. Mr. Martin having appealed to the Judicial Committee of the Privy Council on the points of lights, kneeling, and elevation, a decision was delivered by Lord Cairns, December 23rd, 1868. This Judgment deserves careful consideration, and we point out a further series of facts, and invite impartial consideration of the same.

To use the words of Mr. J. D. Chambers, Recorder of Salisbury:—"In the month of November last the General Election took place: the Ministry (of which

Lord Cairns, as Lord Chancellor, was one of the principal members), had chosen to raise an ultra-Protestant cry. It soon became apparent that this watchword would fail, and that the administration was doomed to fall. In this state of things the appeal in the St. Alban's case was advanced, out of its turn, from the bottom of a long list to the head of the same; and although, in the ordinary course, it could not have been taken till late in 1869, it was forced to a hearing first."—" *Strictures on the Judgment of the Court of Appeal in the case of Martin v. Mackonochie.*" *Masters.* 1869.

The constitution of the Court of Final Appeal itself is highly objectionable to churchmen: firstly, because "appointed by Parliament to deal with questions of the doctrine and discipline of the Church, without the sanction of the representative assemblies of the spirituality;" and, secondly, because "it comprises no adequate representation of the spirituality, or of persons versed in theological, liturgical, and ecclesiastical questions," and also on account of the "serious defect in the practice of the Court, that those of its members, who in any case dissent from the judgment of the majority, do not publicly state the grounds and

reasons of such dissent, at the time of the delivery of the judgment."

In other words, we have here an essentially lay tribunal, which obtained its jurisdiction by an oversight in legislation, as was avowed by Lord Brougham and Bishop Blomfield: the former observing that he "could not help feeling that the Judicial Committee of the Privy Council had been framed without the expectation of ecclesiastical questions being brought before it;" and the latter observing, "The question of doctrinal appeals is not alluded to, and the contingency of such appeal came into no one's mind." —See Mr. Wayland Joyce's valuable work, entitled "The Sword and the Keys."

9. The Court, at all times faulty in its construction, became doubly so by Lord Cairns's selection of Privy Councillors; including, besides himself, Lords Chelmsford and Westbury, Sir William Erle, Sir J. W. Colville, and the Archbishop of York. A selection which was severely criticised as "including a Presbyterian, an ex-representative of the Orange town of Belfast, a partizan Archbishop, a lay Low Churchman, and a theologian (Lord Westbury) who talks about 'the inferior persons of the Trinity.'"

The decision of this Court, it is said, was that of a bare majority: Sir William Erle and Lord Westbury dissenting from the finding; but the casting vote of the Archbishop decided the case, so that it may be said, the Judgment was that of the Archbishop alone.

10. Remembering the harmlessness of the defendant's conduct, in having used lights and elevation, we agree with the Recorder of Salisbury in his strictures on this judgment. "It has condemned, and mulcted in heavy costs, and in a case confessedly of first impression, a zealous and exemplary clergyman, beloved by his flock, and all who knew him, who in this point at least, acted under the advice of nine eminent counsel, and was supported by the elaborate judgment of the proper ecclesiastical court, by the decision of a Judge competent in all respects for his task, and conversant all his life with these matters (which cannot be said of the members of the superior tribunal); and after all for an act, in which he only followed the example of our Lord Himself. Is common opinion in error in pronouncing this to be a vindictive and tyrannical decision?"

11. The judgment on the point of costs also, is

open to grave objection, displaying the *animus* of the Court. "All the charges against the respondent having been thus established, their Lordships see no reason why the usual consequence as to costs should not follow."

The following extract from the Report of the English Church Union, February 16th, 1869, puts the facts of the case with singular clearness:—

"It is necessary, therefore, to contrast with this ruling the course pursued by the Judicial Committee in 1860, upon the complaint of Mr. Beal, that the Monition of the Privy Council (in *Liddell v. Beal*, 1857) had not been complied with on three points. Their Lordships decided against Mr Beal on all these points. Indeed, as it was objected that "he had ceased to be a parishioner, or inhabitant within the district of St. Barnabas, and therefore had no *locus standi* in an Ecclesiastical Court," he would not even have been heard if the objection had been pressed. For the Judicial Committee "intimated their opinion that the objection in general law and practice was correct, and that it was only in the particular circumstances of the case, and having regard to the waiver of the objection by the Incumbent and Churchwardens, that Mr. Beal

would be allowed to proceed, but that the permission was not to be considered a precedent." Nevertheless their Lordships did "*not think it necessary to give any direction as to costs.*"—*Moore's P. C. Reports.*

Now, in Mr. Mackonochie's case, although it was objected at the time that Mr. Martin had never been a parishioner, and, although four out of six points had been given in his favour by the Court below—yet, notwithstanding the dictum of the Court in the case cited above, he was condemned to pay all the costs in the two suits in which a non-parishioner was the prosecutor.

12. Although this judgment was, and is, strictly obeyed by Mr. Mackonochie, another case was taken before the Judicial Committee, wherein it was charged that he had not complied with the terms of the Monition,

a. In continuing to elevate the cup and paten.

b. In using lighted candles when not wanted for light.

c. In kneeling and prostrating during consecration.

The decision was given by the Lord Chancellor (Hatherley), December 4th, 1869, that—

a. "The point that has been raised is a particular mode of elevation, and inasmuch as this particular mode of elevation is not pleaded in the articles, we cannot say that the respondent had committed a breach of the Monition."

b. The Court held that there had been a literal compliance.

c. Mr. Mackonochie having neither knelt nor prostrated, but genuflected, their Lordships pronounce—"It is our opinion that there has been a clear breach of this Monition."

Notwithstanding the denial of kneeling by the defendant, supported by the affidavits of the assistant clergy, their Lordships, holding the startling opinion (said to be unanimous) that bowing the knee without touching the ground was kneeling, found him guilty; and, being thus condemned in one only out of three charges, he was ordered to pay all the costs. "That is, it punished Mr. Mackonochie for adhering to the letter of a criminal judgment, although it is a maxim of English jurisprudence that the narrowest and most rigid construction shall always be put on criminal statutes and judgments."

Ten days later the promoters sent witnesses to St. Alban's, knowing now that evidence of elevation above the head was necessary for conviction. Such elevation, be it remembered, having, upon Lord Hatherley's own showing, been voluntarily abandoned three years before.

The Church Association, through Mr. Martin as promoter, again charged Mr. Mackonochie with disobedience to the Monition, and alleged that—

(a). He sanctioned elevation.

(b). He sanctioned kneeling or prostration before the consecrated elements.

The affidavits describe the acts done by the officiants upon seven Sundays in December, 1869, and January and February, 1870.

The hearing was appointed for the 26th of March. Mr. Mackonochie decided not to defend the case by Counsel, but filed counter affidavits from the priests charged, and from the Churchwardens; after which he received notice that the case would not be proceeded with; but, in spite of this notice, in July three affidavits, said to be in reply, were filed, but they related to an alleged offence committed on the 17th June by a different person, viz., himself.

The Court consisted of the Lord Chancellor, the Archbishop of York, and Lord Chelmsford.

The conflict of testimony was remarkable. The Revs. H. E. Willington, H. T. Howes, and A. H. Stanton, together with the two Churchwardens, Messrs. Elijah Cornish and Thomas Layman, on oath deny elevation above the head. This act, however, was alleged to be witnessed by two paid informers on four occasions, by three on other occasions. There is however not a tittle of evidence to prove that Mr. Mackonochie sanctioned the elevation, even if it had taken place.

But further still, three paid informers allege acts of kneeling, on June 17th; the testimony was proved to be false, by the affidavits of Mr. Mackonochie, Revs. A. H. Stanton, H. E. Willington, T. W. Biscoe, T. H. Smith, Esq., a barrister, F. Fitzpayne, Esq, solicitor; the charge of elevation on this occasion was not even made. The Court found that kneeling as alleged was not proved; it also pronounced the defendant guilty of sanctioning elevation above the head, which never took place at all, and of sanctioning prostration which was not pleaded in the Articles, and suspended Mr. Mackonochie for three months.

In order to support the latter charge the Court held that bowing was kneeling or prostration ! We refer our readers for detailed proof of these facts, to Mr. Thomas Layman's pamphlet, " St. Alban's, Holborn. Is the Judgment in the Case of *Martin v. Mackonochie* according to the Evidence ?" Palmer. 1871.

It is perhaps almost needless to defend such a man as Mr. Mackonochie, against charges of " evasion," " disingenuousness," and " shuffling," by which men sought to cover the severity and injustice of this last blow at St. Alban's. Having brought out, with sufficient clearness, the indisputable fact, that the decision went counter to the sworn evidence of Clergy and men of honour, who contradicted completely the evidence of paid informers, it will be sufficient to preserve here Mr. Mackonochie's repudiation of these charges of dishonesty, on which opponents strove to raise a false issue.

The following are quotations from a letter addressed by him to the *Record*, which that journal declined to print in full. The entire letter is given in the *Church Times*, for Dec. 9th, 1870.

" The sentence pronounced against me purports to be a punishment for contempt of Court, in having disobeyed a previous decision. But then disobedience

is 'doing what I am told not to do.' It is, however, a principle of English justice that the accused, in any case, can only be condemned within the letter of the Articles under which he is charged. If then, I have disobeyed, I must have disobeyed the Articles charged. The Order in Council bids me to abstain from doing certain things '*as pleaded in the Articles.*' If then, for the purpose of the decision, these acts have any ulterior meaning, any beginning or ending in anything but themselves, such meaning—such beginning or ending—must be found alleged in the Articles pleaded in the case. I do not mean that the acts have no ulterior meaning: but that no such meaning is alleged in the Articles to which the attention of the Court was bound to be confined by the principles which rule all administration of justice in England.

“ I begin with the Articles of the case. They alleged against me :—

1. Elevation of the paten and cup above the head, during the Prayer of Consecration.

2. Kneeling or prostration before the consecrated elements, during the Prayer of Consecration.

3. Lighted candles on the Communion Table, during the Celebration of Holy Communion.

4. Use of Incense for censuring persons and things.

5. Use of Incense, alleged to be unlawful, but not for censuring persons or things.

6. Mixing water with the wine used in the Administration of the Holy Communion. You will notice that none of these allege any intention, or ulterior motive. . . .

“In the Arches Court the judgment in each of these six Articles was as follows :—

1. Do not recur to it. I have not recurred to it.

2. Not illegal.

3. Legal.

4. Do not recur to it. I have not recurred to it.

5. Abstain for the future. I have abstained.

6. Abstain. I have abstained according to the Judgment.

“ . . . Upon the whole then, it seemed possible to comply, and by pleading before the Court, I had almost, if not quite, pledged myself to obey. Therefore at once, without waiting for any Monition, I yielded and obeyed. Then came the Appeal, against the small remainder which was left to us. Should I plead again? Should I own any authority in the Privy Council? It was a difficulty. I did not be-

lieve it to have any. But still, if the State could be hindered, by my pleading by Counsel, from doing a great wrong to the Church, it seemed as if I ought to plead. Then came the Cairns' Judgment. Should I yield to this? Again came the complication of having pleaded. So I gave way. I was forbidden to use lighted candles on the Communion Table during the Celebration of Holy Communion. I disused them. We had been accustomed to use them during Morning Service for some time, so that use, not being impugned, was continued. I was directed not to kneel, so I did not kneel. The Church knows two acts, quite distinct—kneeling and genuflecting: being forbidden to kneel I genuflected. As a matter of course, I believed my Lord to be there, and must show Him some reverence. The very principles of my duty to God obliged me to save as much for His honour as I could: and thus forbade me to obey to a hair's-breadth beyond the mere letter of that which seemed to me to assail His honour.

“Then came the charge of last year, and with it a new definition, making genuflexion—indeed, all bending of the knee—to be the same as kneeling. I found refuge in the Rubric of the Ancient English

Liturgy, and substituted an 'inclination' of the body, without bending of the knee, for genuflexion. Now I am told that inclining the body over the Altar is prostration: am fined in the costs, and suspended for not having found it out myself, and am told that I am guilty of evasion, etc., for the same want of foresight."

During the suspension consequent on this judgment, the Bishop allowed the Rev. A. H. Stanton, Curate in charge, to carry on the Services exactly as they were before the suspension; and Mr. Mac-konochie resumed them on his return precisely as before. No alteration whatever was made in consequence of the judgment, yet Mr. Martin did not attempt to charge disobedience to it.

CHAPTER IV.

TRUCE.

THE period of which we have just treated ended in 1871, and from this date until the beginning of 1874 there were no prosecutions. During this time the work of the parish greatly prospered in many ways : the New Schools were built, the Sisterhood established, more Clergy joined us, and for awhile we were let alone. Perhaps the most important event of this period was the Mission at its close ; and with reference to this we append Mr. Mackonochie's address.

“ MY DEAR PARISHIONERS,

“ Next Saturday night the Mission will begin in this Parish : and you will expect me to say something to you about it.

“ WHAT IS A MISSION ?

“ 1. It is a call to open sinners—to those who either do not know God, or (what is worse) knowing, neglect, despise, or hate Him. Unfortunately there are few

great towns, and perhaps not many little villages, in which there are not some even of the latter class. It is, indeed, a terrible thing to think of any one who has once known God, neglecting, despising, or hating Him : yet, so far as outward acts and professions can be taken as evidence of the inner life, there are such to be found. But God's Love lasts through all our ingratitude ; and God, out of His Love, sends this Mission to recall those who thus forsake Him to return to the joy which they lose by leaving Him. In proportion as we any of us trust that we are partakers of the Hope that is in Jesus Christ, we shall do our best as sharers in the work of the Mission, to make Him known to others, who may be indifferent to this hope. In so doing, we are only acting as any good-natured person would do, who, having found out some bit of good luck, would be anxious that his friends should share it ; or, in the words of the Psalm (lxvi. 14), ‘ O come hither and hearken, all ye that fear God, *and I will tell you what He hath done for my soul.*’

“ 2. It is a call to God's Servants—to those who have given themselves to God, and profess to be His people. Many such would be horrified if they

thought they were not true to Him, while yet they really shrink from bringing their lives to the only test given in the Bible—that of the Incarnate Life of God—the Life (that is to say) of Jesus Christ.

“3. The Mission is a call to the earnest seekers after God—to those who seem to themselves (and in the main, no doubt justly) to be holding fast by Him in faith and love, and to be willing to do or suffer anything and everything for Him. To them the Mission puts these questions :—

“I.—On what foundation are you building? ‘Other Foundation can no man lay than that is laid, which is Jesus Christ.’

“II. What are the things which you are building upon this foundation? are they God’s works or your own? ‘Gold, silver, precious stones,’ or merely ‘wood, hay, stubble.’

“III.—Are you really going on unto perfection? Is there no ‘sell all that thou hast,’ which you fear to be told by God?

“Such is the message which the Mission has for all. It will be pressed upon you more at length by the Mission Priest.”

“WHAT IS THE WORK OF THE MISSION?”

“It is not only or chiefly by Preaching that the Church hopes to touch your hearts. It is by Prayer. The power of Prayer, God’s great instrument of conversion, is being put into operation for us in every place. We, in our little way, have been keeping our nine days of special prayer to God the Holy Ghost. Associations, Societies, Religious Communities, have for weeks been claiming the fulfilment of God’s promise to united prayer: the Holy Sacrifice has been, according to our Lord’s command, offered continually for the same end; and Bishops have even commended the Mission to their dioceses to be remembered continually in intercession. Then the Mission itself will be one united cry for mercy and grace from all London. We must be sure that we cease not to pray when the Mission begins; but, as we have prayed before, so continue to urge God, with deep heart-prayer all through the Mission, for a blessing both upon Priests and people.

“Now, in conclusion, let me most earnestly exhort all classes and all persons to secure in whatever way they can the benefits of this work

for themselves and others. Let me ask of manufacturers, tradesmen, and other employers of labour, not only to come to the Mission themselves, but also to see that their servants and workpeople have liberty and encouragement to attend such parts of the Mission work as are most suited for them. It is, I hope, needless to say, that this does not mean coercion. No soul was ever yet won to God by coercion; but give, I pray you, full opportunities to all who depend upon you to come if they will, and let them see by your example, that if they use the opportunities, they will certainly not fall in your estimation. To servants and workpeople, also, I say, use well the opportunity given you. Many of you know how close a hold the world tries to fix upon you: resolve now to do something definite to release yourself from its grasp.

“Commending you all to the Grace of God, and the Mission Priest, my Brother-Clergy and myself, to your prayers,

“Believe me,

“My Dear Parishioners,

“Your most affectionate Friend and Pastor,

“In our Lord Jesus Christ,

“A. H. МАКРОНОХИЕ.”

Wounded sheep ! straying far from the fold,
Perishing sheep ! lying out in the cold,
Starving sheep ! all pining for bread,
Shall they be sought for, brought in and fed ?
Out in the cold, there let them lie,
For the shepherd has lifted the chalice too high.

Sin-laden souls with grief opprest,
Weary and troubled, craving for rest,
Blind and ignorant, watching for day,
Doubtful, anxiously groping their way ;
There let them grieve, in their darkness and woe,
For the teacher has bowed his forehead too low.

Wide are the fields which the Master has sown,
Ripe to whiteness their corn has grown,
Blade and ear, and full corn in the ear,
A moment ago and the reaper was here ;
Better the harvest should rot than see
The reaper adoring bend the knee.

Bind the shepherd, though sheep may die,
Silence the teacher, though hearts may sigh,
Back with the reaper, though harvest may rot,
Of perishing souls, who cares a jot.
An inch too high or an inch too low
Is more than their endless weal or woe.

Too much devotion by half, men think,
What with those bells we can't sleep a wink,
Bar the church doors, and once a-week
Let some true Protestant simply speak,
Strip the Altar, who wants to be fed
Every day on the Heavenly Bread.

O fathers in God ! O bishops and lords !
And ye say, Amen, to these faithless words ;
Ye let the law fall with its heavy blow
For an inch too high or an inch too low,
Ye would smite the shepherd and scatter his sheep,
That devils may laugh and angels weep.

Zeal of party hath eaten you up,
'Gainst the bended knee and the lifted cup,
But zeal for His house ye have little to show,
What reck ye of ignorance, evil, and woe?
'Tis only the gnat hurts your delicate throat,
Ye can swallow your camels, but ye care not a groat.

W. M.

"*Times*," 24th Nov., 1870.

CHAPTER V.

OUR BISHOP.

THE Mission was hardly over before we were disturbed by threats of another prosecution. Mr. Mackonochie endeavoured to conciliate his enemies by yielding to the recommendation of the Bishop, so far as to remove a large Crucifix, which had been found specially useful during the Mission, and also the curtains which were used at Confession, which gave dire offence to the good people who never used that means of grace. These concessions were made in vain and the congregation, becoming very anxious, held a public meeting and adopted the following Memorial and Protest.

“ MEMORIAL.

“ To the Right Reverend Father in God, the Lord
Bishop of London.

“ *The humble Petition of the undersigned Parishioners
and Members of the Congregation of the Parish
Church of St. Alban the Martyr, Holborn.*

“ *Sheweth :*

“ I. That your Petitioners learn with great sorrow
that the Clergy and congregation of the above

Church are threatened with a renewal of the annoyances and prosecutions to which they have been before subjected with regard to certain observances which are highly esteemed by them as exponents of the Catholic Faith professed by the Church of England.

“II. That your petitioners knowing, from past experience, the grievous injury done to the work of the Parish by that which they deem to be an unwarrantable interference with their privileges as loyal members of the Church, and fully believing in your Lordship’s sympathy with every work which tends to the glory of Almighty God and the salvation of souls, beg very respectfully to lay the following statement before your Lordship :

“(a) This petition emanates solely from the laity who worship at the Church of St. Alban the Martyr, and they have taken this step in order to show to your Lordship that they consider themselves deeply aggrieved.

“(b) Theritual that has been gradually developed has been requested at each successive stage by the laity, so that there is no pretence for saying that it has been forced upon an unwilling congregation.

“(c) We feel that the interest taken by us in the work of the Parish sufficiently warrants us in petitioning your Lordship; and although unwilling to speak of our personal deeds, we cannot on this occasion forbear to state that a great amount of actual work is done by the laity, and that a very large sum of money, not less than £50,000, has been expended during the past eleven years upon the services of the Church, the Schools, and various works of mercy.

“(d) We firmly believe in all the doctrines of which Ritual is but the outward sign. We value lights, incense, and kneeling, because they teach the Real Presence of our Blessed Lord in the Holy Eucharist. We lament the removal of the Crucifix, because it so eloquently preached Christ crucified. And we regret the removal of the Confessionals, which has been caused by an interference which is inconsistent with religious liberty.

“(e) We feel that if the opposition be honest, it is aimed rather at doctrine than at ritual; so that while we have the plain words of the

Prayer Book to teach us the former, we claim the right of having the latter to set it forth more clearly.

“(f) We further believe that the ritual used is entirely in accordance with the law of the Church of England, and with the spirit of the Prayer Book, which cannot be interpreted by the neglect of past years, and upon which the conflicting Judgments in recent suits throw no light whatever.

“III. That your petitioners in laying this statement before your Lordship, simply ask for toleration. And that they pray your Lordship to protect the Priests of this Church, whose self-denying labours have, under the blessing of Almighty God, resulted in such a marked way in the spread of our Holy Religion and in the due observance of its ordinances.

“And your Petitioners will ever pray, &c.”

“PROTEST.

“To the Right Reverend Father in God, the Lord
Bishop of London.

“My LORD,

“Before the preceding Memorial could be presented, we learnt that a prosecution had commenced,

and therefore venture to protest to your Lordship, as strongly as we can, against the course adopted by our opponents, and to submit that we feel most deeply in the first place, the great evil which must result to this Parish from the interference with the work of our Priests ; and secondly, our annoyance at the attack on religious liberty to which as Englishmen we feel that we are justly entitled.

“ My Lord, this question touches the laity very deeply. We ourselves feel that the time has arrived when we must speak and act publicly in this matter, and declare that we fully believe in all those Doctrines which are really being attacked under the pretence of an attack on the outward symbolism of Ritual. In this belief, my Lord, we do not stand alone ; there are thousands of Members of the Church of England who think as we do ; and we venture to assert that the events of past years point unmistakably to the fact, that the laity will not be content unless their faith is set forth by a corresponding ritual.

“ In conclusion, we declare our unfeigned devotion to our branch of the Church Catholic. We beg your Lordship to remember that the Church of England has under its present constitution always embraced

men of various schools of thought. And we venture to leave in your Lordship's hands this our strongest possible protest, desiring only that liberty and toleration which is extended to all other schools in the Church.

“We must consider this letter, together with the draft Memorial and your Lordship's reply, as intended for publication.

“We are, my Lord, your Lordship's humble and faithful servants.”

To this Document were appended the signatures of nearly 2000 Communicants.

The Congregation felt they could no longer remain silent, while their clergy were thus being ruthlessly persecuted; a public meeting was therefore convened, and a committee at once formed, at which the following resolution was unanimously adopted:—

“That this meeting desires to express its entire sympathy with Mr. Mackonochie and the other Clergy of St. Alban's in this fresh outbreak of persecution, and hereby pledges itself to uphold and protect them to the utmost of its power.”

This resolution, the Chairman, Mr. Thomas Fifoot,

was requested by the meeting to forward; which was done in the following letter:—

“ 59, Guildford Street, Russell Square,

“ 2nd June, 1874.

“ MY DEAR FATHER MACKONOCHE,

“ I have the pleasure to inform you that at a meeting of your congregation and parishioners, held at the School-rooms in Leigh Court, on Wednesday evening last, it was unanimously resolved and carried with great acclamation:—

“ “ That this meeting desires to express its entire sympathy with Mr. Mackonochie and the other clergy of St. Alban’s in this fresh outbreak of persecution, and hereby pledges itself to uphold and protect them to the utmost of its power.

“ In transmitting to you, dear Father, this resolution, my committee beg me to assure you how fully they appreciate the great work going on at St. Alban’s, and what a matter of grief it is to them that you should be called upon to suffer so much for their sakes; what a manifest injustice it is, that one outside our parish, and in no way connected with the Church, should have the power of thus marring her work, by the vexatious persecution of God’s ministers;

and I am sure it will be no little comfort and consolation to you, in this hour of bitter trial, to have the assurance of your children in Christ Jesus, of that unbounded confidence and love which they have in yourself and brother priests. How keenly they feel they are not permitted to stand side by side with you upon their trial, and share more fully your sufferings ; but the heavier the persecution shown towards you, the closer shall we be bound to you in love and affection, and we shall pray without ceasing that our Heavenly Father will, in His own time, cause all these things to work together for our good and His eternal glory.—Believe me, dear Father Mackonochie, very faithfully yours,

“ THOMAS FIFOOT,

“ Chairman of the Meeting.”

“ Eve of Corpus Christi.”

Mr. Mackonochie replied as follows :—

“ St. Alban’s Clergy House, Brook Street,

“ Holborn, E.C., June 22nd, 1874.

“ MY DEAR MR. FIFOOT,

“ I have to thank you, and, through you, to express to those whose kind resolution you have sent me, my most hearty thanks for it and all their goodness.

“ We, your clergy, have had such unceasing proofs of that sympathy and support, of which the resolution is a renewed expression, that the knowledge of it can never be absent from our hearts, or fail to animate us with fresh vigour in the great cause of Truth.

“ There are parishes in which the duty of the priest compels him to make a stand for certain points of essential truth, when his people, even where well-disposed as to things in general, cannot bear the full teaching of the Truth. In yourselves God has given to us, your priests, a body of lay communicants ready to receive and to co-operate in the promulgation of all that the Catholic Faith requires us to teach and practice. We are ‘ all of one heart and of one mind,’ thank God, and both people and priests know that

they are so. You regret that you cannot more fully share the trial which falls upon us ; but then we, on our side, cannot help feeling that, in many ways, you have much more at stake than we. So long as we have hands and a tongue, we can only by being deprived of liberty be kept from saying Mass ; but for you the bad times may come back—though I do not for a moment believe that they will—when you shall be deprived of priests to give you the Sacraments at all. It is a great blessing that you are alive to the fact, that God rarely helps those who do not help themselves. You are up and doing. ‘Be strong, and He shall comfort thine heart ; and put thou thy trust in the Lord ;’ or, if I may give you another rendering, ‘Wait on the Lord : quit you like men : and be your heart strengthened : and wait on the Lord.’ With kind love to you all, from myself and your other priests.—Your most affectionate Father in our Lord Jesus Christ,

“ALEX. HERIOT MACKONCHIE.”

“T. Fifoot, Esq., Chairman of Meeting of Communi-

“cants of St. Alban’s, Holborn.”

The Meeting also adopted the above Memorial to the Bishop of London, signed by 1918 members of the

congregation and parishioners, and it was presented by a deputation headed by the Churchwardens at London House. As we have been accused of an attempt at browbeating our Bishop, we append here the addresses delivered to his Lordship upon the occasion. Mr. Fifoot was the first to address him, and said:—

“MY LORD,—As Chairman of the Meeting at which the Memorial that has just been read to your Lordship was adopted, permit me to call your attention to the one or two points in it upon which we feel the most aggrieved.

“In the first place, my Lord, we are attacked by an ‘outsider,’ one whose sole claim to a hearing at all lies in the fact that he is secretary to some schools situate within our parish—in no way connected with the church or district—and, as is well known, a mere tool in the hands of the Church Association.

“Secondly, and without in the slightest degree wishing to be discourteous, we feel, my Lord, most deeply aggrieved that, in the exercise of your Lordship’s discretion, upon the bare word of such an avowed enemy, you should have given your sanction for a citation to issue against Mr. Mackonochie—the effect

of which will be to drag him into an expensive Court of Law, the Court, my Lord, the appeal from which is so unsatisfactory to a large number of Churchmen and its decisions so various, and to many of our ablest lawyers and divines so unsound.

“Thirdly, my Lord, it interferes with that which is sacred to every Englishman, viz. : ‘Liberty of Conscience ;’ we laity claim this as our birthright and our inheritance. We humbly contend, my Lord, we break no law, and we repudiate with indignation that we are the lawless men in the Church. On the contrary, the Book of Common Prayer is our book of constitution, and we are acting in the firm belief that the law is on our side. If what we believe is not law, let the *proper authorities* determine what really is the law, and we, my Lord, shall be first and foremost in obedience to that law.

“Lastly, my Lord, as to the real question at issue, viz., Ritual, which, our opponents admit, to them a mere trivial matter, to us, my Lord, is a matter of the most vital importance ; we wish to be honest, and declare boldly that Ritual with us is the outward expression of that faith of our fathers so dear to us ; it is, my Lord, the outward and

visible sign of an inward and spiritual grace—take away our Ritual (which is after all only the natural expression of our belief in the Sacraments)—thank God, my Lord, our Sacraments remain to us, and these can never be taken away. Why then, my Lord, wish to narrow the limits of the Church? Directly her comprehensiveness is withdrawn, directly she ceases to be a Catholic Church; we therefore plead with you to *let us alone*.

“We plead first for our clergy, whom we all love for their very work’s sake. We plead for Mr. Mackonochie, than whom a more self-denying hard-working priest does not exist within your Lordship’s diocese. Even his worst enemies concede as much. We plead for Mr. Stanton and Mr. Russell, men who have sacrificed all social ties and position to which rank, family, and fortune would entitle them—men who have left all, my Lord, to follow the Master, and who have fought their way through great tribulation and persecution and yet overcome; and, therefore, my Lord, we plead with you on their account, *let them alone*. We plead also for those 1900 whose signatures are attached to that Memorial. It is, my Lord, no ordinary Petition we lay before you to-day. It comes

up from St. Alban's as an exceeding bitter cry; the cry of the poor and the outcast; the cry of the sick and broken-hearted. Many and many a trembling hand and aching heart signed those papers: one and all pleading to be let alone. We love our church, every stone of it; we love our altar; we love our clergy; we cling, my Lord, closely to the shred of every vestment, for it seems to us as though we were touching the hem of His garments. We pray you then, my Lord, in His name, *Let us alone*. And now, my Lord, we are, of course, fully sensible and alive to your Lordship's many difficulties in presiding over a diocese so vast as that of London, embracing too, as it does, men of all shades and opinions; but, we ask, is it right, is it just, is it honest, that we should be singled out for such unholy, un-Christian persecution? We do not wish to say one unkind or uncharitable word against our persecutor; but, my Lord, is it English that one man should be the means of upsetting 1900? We do, therefore, humbly and reverently, but at the same time firmly and boldly offer this our most solemn protest, and pray your Lordship to come and help us, help us by letting us alone."

The Bishop paid the most courteous attention to this appeal, but making no further reply, was further addressed by Mr. Jellicoe.

“ MY LORD,—I have the duty of saying a few words in further pressing this Memorial and protest upon your Lordship’s consideration. We are the more emboldened to approach your Lordship in this manner because we feel sure that the clergy in this diocese are treated by your Lordship with toleration and sympathy ; and, if I may be permitted to allude to such a fact, we see in your Lordship’s acquiescence in the ruling of a certain recent judgment, as to wearing a cope during the Celebration of the Holy Communion, an indication of a desire to be tolerant towards those whom we represent. In our petition we state that we feel aggrieved at the prosecutions which are nominally directed at ritual, while they are, as we believe, really aimed at doctrine ; and I venture to say on this point, that if our view of the doctrines of the Church be correct (and we certainly have a very strong warrant in the words of the Prayer Book for believing that they are correct), then it seems clear that nothing in the shape of Ritual can be considered too magnificent. I freely admit that many in au-

thority, whose opinion is worthy of the greatest consideration, have thought that there is a danger of our thinking too much of Ritual ; but these are the persons whose belief is identical with our own as to doctrine. It is not so, however, with those other persons who would interfere with us. We do indeed respect their opinions, and also their interference if it be honest ; for I submit to your Lordship that there is not a single instance of a High Churchman who would wish to narrow the limits of our Church. But if the interference of these persons be not honest, we resent it most strongly. Our position is simply this : let us accept the fact that the Church wisely embraces men of all schools of thought ; and, provided it cannot be shown that there is a breach of the law of the Church, let us all enjoy religious toleration. We know, my Lord, that this is a matter of no small moment in such a parish as that of St. Alban's. For the past eleven years Ritualism, as it is called, has largely aided in teaching the poor the Gospel, and if its help be taken away from us, how will the result affect those who have been so taught ? Nor is its benefit confined to the poor ; for myself and for those with me, I believe I may truly say that we too have

been taught to love the teaching of our Church as we could not have been so taught without Ritual. It is not that we care for external ceremonial for its own sake in the least degree, but we do care very much and are willing, please God, to sacrifice everything to defend the doctrines which it symbolizes. Under these conditions, we claim the privilege of enjoying such ritual as we have, and ask for toleration both for our priests and for ourselves."

The Bishop having made some remarks upon these points, was then addressed by Mr. Talbot, who urged upon his Lordship that the congregation felt themselves very harshly treated. He instanced the removal of the curtains used in Confession as a gross insult to penitents, who were thereby exposed to the rude gaze of any profane idler who desired to gratify his prurient curiosity, or display his bad manners. The congregation practised Confession as before, as they had a perfect to do, and they felt that they ought to enjoy this right free from annoyance and indignity. Other members of the Deputation endeavoured in vain to elicit some expression of sympathy from his Lordship; he told us at the beginning we must not expect him to say anything; he would

willingly listen to what we had to say, but his duty was simply to administer the law. He had no word of comfort, no word of advice, but hard, cold Law. Love was out of the question.

CHAPTER VI.

FURTHER PROSECUTION.

A MOST reasonable application, namely, to postpone the hearing of this suit, till the expected decision of the Privy Council in a similar case, *Roughton v. Parnell*, was refused.

The articles alleged no moral offence or doctrinal charge, but comprised (putting on one side the technicalities) the use of lighted candles during Morning Prayer; undue elevation of the paten and cup; processions with banners, crucifix and candles; singing *Agnus Dei* after the Consecration; making the sign of the Cross; kissing the Prayer Book; the use of wafer-bread; the wearing of vestments; and standing in the eastward position.

Of these, the elevation was held to be not proven, and the rest were held to be proven, and their use condemned. The grave objections to this decision may be drawn from Sir R. Phillimore's own words in the course of the trial.

“ The 7th, 8th, and 9th articles of charge against Mr. Mackonochie, relate to the use of certain vestments or ornaments of the minister, the position of the celebrant before the Holy Table, and the use of wafer-bread in the administration of the Holy Eucharist.

“ On former occasions, this Court has pronounced judgment upon all these subjects favourable to the defendant, and the Judicial Committee of the Privy Council has overruled these judgments. In this state of things, an application is now made to me by the counsel for the defendant to hear an argument, which has for its object to show that the decisions of this Court were right, and those of the Appellate Court wrong.

“ The application is admitted to be unusual, but is said not to be unprecedented; and various cases are referred to in support of this proposition.

“ It was urged before the Court with considerable force, that the present case came within the principle of those precedents for several reasons; among them, that the judgments of the Appellate Court were delivered on the hearing of an *ex parte* case, and therefore have not the weight of judicial precedent;

that the judgments of the Appellate Court upon the questions now before me, have been conflicting, and are irreconcilable; that they can be shown to be founded on mistakes of fact, as well as of law.

“In these peculiar circumstances, it would be competent, I think, to this Court to allow all these questions to be re-argued before it; more especially as it appears to me that the judgment of the Appellate Court in *Hebbert v. Purchas*, as to the ornaments of the minister is irreconcilable with the former judgment of the same tribunal in *Liddell v. Westerton*, and with respect to the position of the minister irreconcilable with the former judgment in *Martin v. Mackonochie*. With respect to the use of wafer-bread, I think it possible, that if their Lordships had not been deprived of the usual assistance of counsel, they would have arrived at a different conclusion.”

In other words, there had been a miscarriage of justice in the Superior Court, and therefore the Lower Court endorsed it; and punished not by Admonition, as the Law directs, but by six weeks' suspension and costs a first offence, if ritualistic propriety and reverence be offences. The ruling by which the Judge elected to be governed, was that of

the Privy Council in *Hibbert v. Purchas*, a decision which has rightly been characterised as “an outrage upon law, logic, and history.”—*MacColl*.

To complete the reader's view of this important case, two weighty protests must be here appended; the first put in by Mr. Mackonochie, and received by the Dean of Arches but not permitted to be filed: the second, the manly protest of the same gentleman on withdrawing his appeal against the decision. The first is as follows :—

“I, Alexander Heriot Mackonochie, think it only due respect to the Court of Arches to explain my motives in appearing before it, and would, therefore, request to be allowed to state as follows. Whereas by the law of Christ it is forbidden to give to an earthly sovereign the things of God, and whereas, in accordance with that supreme law, the Crown of England has in *Magna Charta* and in divers subsequent Acts, guaranteed to the Church of Christ in England freedom in all matters spiritual, and undertakes, in pursuance of that guarantee, to govern in all spiritual things by the advice and authority of the spirituality, as in temporal things it does by the advice and authority of the temporality; whereas

the Court of Arches was practically from time immemorial the supreme court of final appeal in spiritual things for the province of Canterbury; and whereas the Crown in Parliament has, without the consent of the spirituality, at sundry times and by sundry Acts of Parliament, but specially by the Act 2 and 3 William IV., c. 92, subjected the Court of Arches to secular Courts and secular jurisdiction without any authority whatever from the spirituality, and specially to the Crown in Council: and whereas the Court of Arches has in several cases recognised the ruling of these Courts, and specially certain recent decisions of the Crown in Council, many of which are contradictory in themselves and at variance with the plain written law of the Church as overruling its own decisions in spiritual matters; and whereas such acceptance of such decisions of a temporal court in spiritual things as decisions of a court having supreme jurisdiction in and over such things, is in fact a giving up of its own spiritual jurisdiction, in contravention of the law and the constitution of this Church and Realm, and the making of itself a mere function of the civil power; and whereas therefore I am unable to admit that the rulings of the Court of Arches in

so far as they have been or shall be mere enforcements of such rulings of the civil power in any way bind the consciences of Christian men in this country; and whereas I have great cause for apprehending that the rulings of the Court of the Crown in Council will be cited as authorities for the decision of this Court in the present case, therefore I respectfully declare that in appearing before this Court I do so without admitting the spiritual validity of any decisions or judgments of this Court which are founded upon the authority of any rulings of the Crown in Council or of any purely secular authority."

After this Protest the case was heard and judgment given, against which Mr. Mackonochie appealed; but he afterwards withdrew the appeal, and gave his reasons for so doing in the following letter addressed to the Archbishop of Canterbury:—

"My dear Lord Archbishop,

"It is due to your Grace publicly to explain to you my reasons for, in the first place appealing from your Grace's Court to one of which the jurisdiction is purely secular; and in the next place, for now withdrawing that Appeal.

"My reasons for appealing in this case were:—

“ 1. That the matters charged against me in this action were all first offences, ‘with respect to which I did not appear’ to the Judge ‘to have been the subject of a personal admonition either from the sentence of a Court or of my Diocesan.’

“ 2. That I have reason to believe that under these circumstances no sentence beyond a monition can legally be pronounced.

“ 3. That, notwithstanding, the actual sentence was one of suspension.

“ 4. That I have good ground for believing that the decision under which I was sentenced was in all points contrary to the Book of Common Prayer, construed according to the principles which the Church has laid down, and which I have at my Ordination and at divers other times promised and sworn so to obey.

“ My reasons for withdrawing the Appeal are :—

“ 1. That I entered the Appeal expecting it to be heard by the New Court of Judicature, and should not otherwise have appealed at all.

“ 2. That although the New Court of Judicature will have no more valid spiritual jurisdiction in spiritual causes than the present, yet that its constitu-

tion gives more hope of an impartial administration of justice.

“ 3. That although the Appeal from a Court which claims to have spiritual jurisdiction to another which will have no appearance of any title to claim such authority looks at first sight like appealing from God to man ; yet the decision in the Spiritual Court, from which I was appealing, was given by that Court, without consenting to hear the arguments of counsel, in obedience to the previous ruling of a secular tribunal, and would not otherwise have been so given.

“ 4. That the Right of Appeal even from an undoubtedly spiritual to a secular Court, in circumstances which constitute an Appeal “ *tanquam ab abusu*,” has commonly been recognised, when justice is to be expected from the said secular tribunal.

“ 5. But the whole history of the Judicial Committee of the Privy Council from its first existence makes it impossible to trust its impartiality as constituted for ecclesiastical cases.

“ 6. That my own personal experience has taught me that I have no ground to expect from it either consideration or fairness.

“ These formal statements express, I think, fairly the grounds of my action. In conclusion, I cannot forbear from laying before your Grace the following facts as to the position of myself and others who value more than life their fidelity to Christ in this Church of England. I have been now more than twenty-six years in sacred Orders. During the whole of that time, I have endeavoured, to the best of my power, to obey the laws of that Church, and minister her offices for the glory of God and for the edification of His people. How I may have served in that capacity for the first of these objects it will be for the Great Day to show : as to the latter, it would be a foolish assumption of ignorance not to own that God has blessed me. What has been the result ? With the very rarest exceptions, I have received not one word of encouragement from my superiors in the Church : I have now been four times dragged before Courts : I have stood in Court side by side as a fellow culprit with a clerk, charged with adultery ; I have found in the Highest Court of Appeal every door for his escape obsequiously held open by his Judges ; and the one door of justice and equity as vigorously barred by the same hands against me.

“ I do not, your Grace, complain, but venture to state facts.

“ Believe me, my dear Lord Archbishop,

“ Yours truly and very respectfully,

“ A. H. MACKONCHIE.

“ To the Most Reverend the Right Honourable His Grace the Archbishop of Canterbury.

“ May, 1875.”

CHAPTER VII.

SECOND SUSPENSION.

THE Appeal having been withdrawn, the Suspension by the Court of Arches, which was for the period of six weeks, took effect; whereupon a large meeting of the congregation of St. Alban's addressed the following temperate and yet forcible protest to the Archbishop of Canterbury.

“MAY IT PLEASE YOUR GRACE,

“We, the undersigned, Churchwardens, Parishioners, and members of the Congregation of the Church of St. Alban the Martyr, Holborn, desire to make a respectful remonstrance and protest to your Grace against the sentence of Suspension pronounced in the Court of Arches against the Reverend Alexander Heriot Mackonochie, Vicar of this Parish, as being morally indefensible upon several distinct grounds:

“I. In the first place, the sentence has been obtained on the Promotion of the Office of the

Judge by one person only, namely, Mr. John Martin, who is not legally a parishioner, such as even the Public Worship Regulation Act requires as a complainant, and who has no moral claim to interfere, as he has never been a worshipper at the Church of St. Alban, nor has contributed a penny towards its expenses.

“ II. On the other hand, a large and devout congregation, averaging 700 persons, and amounting in the aggregate to 2000 persons, accepts entirely Mr. Mackonochie’s view of the matters in dispute, and has testified its sincerity, by contributing upwards of £50,000 to the Church expenses.

“ III. Whereas Mr. Mackonochie, whose blameless character is undisputed even by his chief opponents, and whose pastoral diligence has won high commendation from those best fitted to judge, has been singled out for repeated prosecution for what, at the worst, is over-zeal for the beauty and order of Divine Worship; on the contrary, no attempt whatever is made to bring legal coercion to bear upon Clergymen notorious either for immorality, for gross

neglect of duty, or for defiant violation of what they confess to be the law; several of whom receive, not merely impunity, but countenance and encouragement from those in authority.

“IV. That Mr. Mackonochie cannot be justly charged with resistance to the Law, nor with obstinate refusal to modify his practice, since he made at once and without difficulty, though sorely against his own wishes and convictions, many concessions in the mode of performing Divine Service on the Injunction of the Court of Arches, which other Clergymen who have never been presented have never made at all; so that under these circumstances he was fairly entitled to consideration which he has not received.

“V. That several of the matters upon which the sentence of Suspension rests are in truth unsettled, are under discussion by the lawful assemblies of the Church in both Provinces, and are likely to be made the subject of speedy future legislation, so that it is contrary to public policy to make them the ground for criminal prosecution now.

“VI. That the Court of Arches, in pronouncing sentence, followed, as a matter of precedent, the finding of the Judicial Committee of the Privy Council in the case of *Hibbert v. Purchas*; a finding in an undefended suit, marked throughout with the strongest partisan bias, disfigured by serious misquotations, interpolations, and misconstructions of the evidence to which it professes to refer, widely discredited amongst the legal profession, and openly disavowed in more or less of its statements and conclusions by such eminent lawyers as Sir John Taylor Coleridge, Lord Coleridge, Lord Cairns, and Lord Selborne.

“On all these grounds therefore we appeal to your Grace against Mr. Mackonochie’s Suspension, as having no moral ground whatever, and a legal ground which is not only much disputed, but which few competent authorities believe to be as much as tenable.”

The correspondence which ensued is here appended.

“Lambeth Palace, S.E.,

“26th June, 1875.

“SIR,

“I beg leave to acknowledge the receipt of your letter, dated the 23rd instant.

“ You inform me that ‘ at the request of the Churchwardens of the Parish Church of St. Alban the Martyr, Holborn, in the Diocese of London, you forward to me a copy of a Protest against the suspension by the Court of Arches of the Rev. Alexander Heriot Mackonochie, Vicar of the said Parish, which was adopted at a meeting of the congregation held on Monday, the 21st instant ;’ and you further request me ‘ to appoint a day, after the 5th of July, when it will be convenient to me to receive a deputation to present the Protest in due form, with signatures thereto.’

“ I have read the printed copy of the Protest which you have forwarded to me, and must point out that it would be quite inconsistent with my duty formally to receive the document in question. You appear to desire to appeal to me personally against the decision of the Judge of my Provincial Court, and to cast the gravest censure upon the judgment pronounced by him as Official Principal of the Metropolitan.

“ The Constitution under which we live in Church and State has provided proper means whereby any proved violation of duty on the part of a Judge may be dealt with. On this point the best way to inform

yourselves how to proceed, supposing you are convinced that there has been any miscarriage of justice, will be, if you think it necessary to do so, to consult your legal adviser; but the reception of such a Protest by me individually would be a most irregular proceeding, and could lead to no good result.

“ I shall however be always ready to give my best advice to any members of the Church of England who may desire it, provided I am approached in a way consistent with the constitution of our Church; and if there is any point on which you at present desire my counsel, I shall be glad to advise you to the best of my ability.

“ Believe me to be,

“ Yours faithfully,

“ A. C. CANTUAR.

“ G. R. Jellicoe, Esq.”

“ MY LORD ARCHBISHOP,

“ I am directed by the Churchwardens of the parish Church of St. Alban the Martyr, Holborn, acting on behalf and with the authority of the congregation, to acknowledge the receipt of your Grace's

etter of the 26th June declining to receive a deputation with Protest against the suspension of Rev. A. H. Mackonochie.

“I am further instructed to beg of your Grace to reconsider your purpose, and to lay before you some comments upon your letter which may perhaps induce you to do so.

“1. Your Grace observes that it would be inconsistent with your duty to receive an appeal against the decision of the Judge of your own Provincial Court, which involves the gravest censure upon him. I am instructed to remind your Grace that you made no difficulty, on May 5th, 1870, in receiving and welcoming a deputation whose practical object was to protest against the acquittal of Mr. Bennett, in the case *Shepherd v. Bennett*, both by your Official Principal and by the Final Court of Appeal, and to complain of the toleration thus allowed to a great historical school within the Church of England; and further, to point out that if we were indeed bringing a charge against your Grace's Official Principal, it would in that case be your Grace's imperative duty to receive it, inasmuch as that officer is directly responsible to your Grace for the fitting discharge of his duty, and you

would therefore be the proper person to call him to account for any malversation of his office.

“But we allege no graver charge against Sir Robert Phillimore than that of his having given a piece of mere professional etiquette the preference over the superior duty of rightly interpreting the ecclesiastical law of England.

“What we ask of your Grace is to uphold the decision of your Official Principal in the case of *Hibbert v. Purchas*, which has been set at nought and over-ridden by the Judicial Committee of Privy Council, whereby your Grace’s authority in your own Court has been materially infringed and lowered in the eyes of the public.

“We desire to remind your Grace that the finding of the Judicial Committee in the case of *Hibbert v. Purchas*, upon which the suspension of the Rev. A. H. Mackonochie rests, is a patent and notorious miscarriage of justice, which, to use your Grace’s own words, ‘misinterprets the law for unrighteous party purposes.’

“It is no part of the ‘Constitution under which we live in Church and State,’ to which your Grace refers us, that four men should be empowered to set aside

the statute law of the Realm, when, and because, it happens to conflict with their private bias in matters of religion.

“Not merely does the judgment in *Hibbert v. Purchas* directly conflict with that in *Liddell v. Westerton* (delivered by a Committee much more respectable for numbers, attainments, and character), which laid down explicitly that the same dresses and utensils which were used under the First Book of Edward VI. may still be used; and with that in *Martin v. Mackonochie*, which ruled that the words ‘standing before the Table’ apply to the whole rubric of the Prayer of Consecration; but the notion of bad faith is inevitably suggested by its incessant misquotation of the documents to which it professes to refer as evidence.

“Errors on points of religious opinion, such as those which disfigure the *obiter dicta* of the Privy Council Judgment in *Shepherd v. Bennett* may be reasonably ascribed to unfamiliarity with theology and to unconscious prepossession; but a much more charitable hypothesis is needed to palliate continual misrepresentation of plain matters of historical and legal fact, which misrepresentation, moreover, in order

to be even colourably plausible, has to rest on inaccurate citation of the evidence in several particulars. We may draw your Grace's attention especially to the manner in which the word 'only' has been twice interpolated after the word 'surplice' in two separate documents (i.e., the Advertisements of 1564, and the Canons of 1603), so that it appears that the exclusive use of that vestment was intended; and to the substitution of the date 1687 for 1627, when it was sought to show that Cosin's Visitation Articles supplied a comment on the Rubric of 1662 unfavourable to the action of Mr. Purchas. We are not unaware that an attempt has been made to deny the existence of this last-mentioned error in the original text of the judgment, and to ascribe it to a mere misprint in unofficial copies, but such denial is confuted, not only by the authoritative documents themselves, but also by the internal proof that the true date, 1627, would have been quite useless for the matter in hand, which was to show how the Rubric of 1662 was subsequently construed by the person supposed to have framed it.

“2. Your Grace is good enough to point out to us that the Constitution provides ‘proper means whereby any proved violation of duty on the part of a Judge

may be dealt with.' We are not unaware of this fact, but as the persons inculpated in this case are members of the House of Lords and of the Final Court of Appeal, the means are practically limited to Impeachment, and we beg to point out that your Grace, as the chief official of the body whose laws and discipline have been thus trenched upon, is the proper person to make that impeachment from your place in the Upper House of Parliament.

“But your Grace’s duty in the matter has yet a deeper basis than that of your rank as Primate of the Established Church. Your Grace is also the chief minister of the Christian religion in this country, and should therefore be principal guardian of morality and piety. No sin save the shedding of innocent blood is so sternly denounced in Holy Scripture, and has such awful penalties threatened against it, as the wresting of judgment and the condemnation of the guiltless.

“That this sin has been committed, in its very gravest form, by the Judicial Committee of the Privy Council is widely believed by a powerful section of the English people, and any attempt to stifle inquiry will be very perilous to the characters of those who resolve

on such a line of policy, and to confidence in the integrity of our highest courts of law.

“Your Grace, by receiving our deputation and furthering its prayer, will deliver yourself from this responsibility, and will materially aid in vindicating that justice which has now been denied to faithful members of the Church of England.

“On these and other grounds, I am requested to repeat the prayer contained in my first letter, that your Grace will be pleased to appoint an early date on which it will be convenient to receive a deputation.

“I am, my Lord Archbishop,

“Your Grace’s humble and obedient servant,

“GEO. R. JELlicoe,

“Hon. Sec. to the Committee in the above matter.”

“Lambeth Palace, S.E.,

“July 9th, 1875.

“DEAR SIR,

“I beg leave to acknowledge the receipt of your letter of July 4th, in which you repeat the request contained in your previous letter of June 23rd, that I will appoint an early day to receive a deputation from the Churchwardens and parishioners of St. Alban the

Martyr, Holborn, to present a Protest against the suspension by the Judge of the Court of Arches of the Rev. A. H. Mackonochie ; and in which you urge various reasons why I should comply with your request. On carefully considering your second letter, I am constrained to abide by my previous decision, and I can give no other answer to your request than that which is contained in my letter to you of the 26th June.

“ I would, however, repeat what I have already stated, viz., that I shall be ready to give you my best advice in the difficulties which you at present feel, provided that I am approached in a way consistent with the constitution of our Church.

“ Believe me to be, dear Sir,

“ Yours faithfully,

“ A. C. CANTUAR.

“ Geo. R. Jellicoe, Esq.”

“ 14, Clement’s Inn, W.C.,

“ London, 13th July, 1875.

“ *To his Grace the Lord Archbishop of Canterbury.*

“ MY LORD ARCHBISHOP,—

“ On behalf of the Committee of the congrega-

tion of St. Alban the Martyr, I have to acknowledge the receipt of your Grace's letter of the 9th instant, and I am now instructed to say that we regret that your Grace still adheres to your decision not to receive our deputation. We had hoped that your Grace would have been willing to listen to an alleged grievance of even the humblest members of the Church in which you hold the highest office, more especially as that grievance arises from the fact that the Judge of your own Court has adopted the decision of the Judicial Committee of Privy Council in the case of *Hibbert v. Purchas*, the injustice of which is notorious, and which is more widely discredited every day; and we are at a loss to conceive how we could act in any way more in accordance with the constitution of our Church. The only course now left open to us, therefore, is to publish the correspondence with your Grace.

“I am, my Lord Archbishop,

“Your Grace's humble and faithful servant,

“GEO. R. JELICOË,

“Hon. Sec. to the Committee in the above matter.”

CHAPTER VIII.

SECOND SUSPENSION—(*continued*).

THE foregoing correspondence brings us down to the period of Mr. Mackonochie's absence, under suspension. And while we were deliberating on our future course we were astounded to hear that the Bishop of London, instead of awaiting Mr. Mackonochie's return, charged Mr. Stanton to carry on the services in accordance with the Purchas Judgment.

Had this direction been carried out, the clergy knew that a grievous scandal would arise, as is proved by the following letter of remonstrance addressed to the Bishop of London from the Committee of Laymen, acting on behalf of the congregation of S. Alban's.

“ Guild House,

“ 26, Brooke Street, Holborn,

“ London, E.C.

“ May it please your Lordship,

“ We, the Committee acting on behalf of the Parishioners and Congregation of the Parish Church

of St. Alban the Martyr, Holborn, desire to make a respectful, but earnest and firm remonstrance to your Lordship, against the line of conduct you saw fit to adopt towards the Assistant Clergy of the said Church, during the Suspension of the Rev. A. H. Mackonochie.

“That line of conduct, as your Lordship must needs remember, was to extend very unnecessarily the purview of the recent Arches Judgment to persons who were not in any way named therein. Your Lordship required the Assistant Clergy to conform to the Purchas Judgment at the Celebration of Holy Communion in St. Alban’s Church, and further—with a view of stopping their ministrations at St. Vedast’s, Foster Lane—you enjoined that they should not officiate at all out of their own Parish Church, unless in places of worship where none of the usages condemned under the Purchas Judgment are adopted.

“Our first ground of remonstrance, then, is that your Lordship has not been contented to restrict your action to that barely ministerial carrying-out of the recent Arches Judgment which is all that could have been required of you. You have gone much further than this, and in our apprehension have thereby departed from the impartial attitude of a strict

administrator of the law—which you claim as your own—and have adopted that of an abettor of one side exclusively in the dispute ; forgetting, it would seem, that the decision on which your action is avowedly based, is at most *in personam*, and not *in rem*, is directed in legal accuracy against an individual, and not against a practice. This mode of enforcing a discredited Judgment upon a most reluctant congregation, sets aside the whole process of law, and invalidates your own appeal to the law as your motive and justification.

“ We feel most deeply that in thus acting, your Lordship has not dealt with us in the manner which might reasonably have been looked for from the chief minister of the Gospel, and chief officer of the Church of England, in this great city.

“ Our contention is that your Lordship has aided a violent trespass on our liberties and rights as Englishmen, whereby an attempt has been made to wrest from us certain religious privileges which we highly value, and to force upon us a type of worship to which we very strongly object. And as the pretext alleged last year for passing the Public Worship Regulation Act was the protection of congregations against arbi-

trary interference with their vested rights, we beg to point out that your Lordship's vote on that occasion is scarcely consistent with the manner in which you have now assisted a non-worshipper at St. Alban's to impose his personal likings in the matter of ceremonial upon a large congregation, which is absolutely unanimous in its preference the other way, and which has never sought to interfere with him, nor with any one else.

“ We desire to be particularly explicit on this head, in order to impress upon your Lordship the fact, that even if the Assistant Clergy had complied with your Lordship's monition, and adopted the Purchas Judgment as the standard of ritual at St. Alban's, we should have refused to be parties to any such action, and would have left the church in a body, as a protest against it, the very moment that tokens of the change became visible in the course of Divine Service ; because the aim of the party at whose instance the Purchas Judgment was obtained, is to show irreverence towards the Holy Communion, by lowering its attendant ceremonial to the level of the minor Offices of the Church, and thereby to deny and deprave the doctrines of the Prayer Book ; and the scandal of such

a scene, had it taken place, would have rested entirely with your Lordship.

“ But, although we have put our own grievance in the first place, it is not so serious as that which your Lordship has inflicted on the Assistant Clergy. We, at all events, are so far at liberty, that if driven out from our own Church by unpalatable changes, we can betake ourselves to another more favoured place, and there exercise our rights as laity by sharing in services such as commend themselves to our affections and consciences. But your Lordship has debarred the Assistant Clergy from ministering the Sacraments either in their own Church or elsewhere ‘as this Church and Realm hath received the same,’ and has thus imposed on them the harsh alternative of either violating what they are well assured is the law of the Church of England, or refraining altogether from the discharge of those functions to which they are pledged by their ordination vow.

“ Now, if there were so much as a bare presumption possible that the Purchas Judgment is indeed the law of the land, your Lordship’s conduct in this matter, however we might fail to recognize its generosity or its wisdom, might at least be construed as necessitated

by your official duty. But no such presumption exists. That the Purchas Judgment, instead of being a declaration of the law, is a daring attempt to override and repeal the law—and, even so, is further discredited by glaring misquotations and misrepresentations of historical facts and documentary evidence—is a matter concerning which your Lordship cannot profess to have any doubt, since the publication of strictures which are incontrovertible, and which, as a fact, have not been even so much as plausibly impugned; inasmuch as the only semblance of a reply yet attempted, that in the *current Quarterly Review*, is vitiated by the very same defects of misquotation of evidence and misrepresentation of facts as the Judgment it defends. We are more than willing to believe that your Lordship, in originally assenting to that Judgment, was led away by misplaced confidence in those who were more directly responsible for its statements; but we are most reluctant to imagine that now, when its true character has been exposed, you can consent to be made any longer an accessory after the fact to such a grave miscarriage of justice.

“Yet it is most difficult to put any other construction on your Lordship’s monition to the Assistant Clergy;

and on this ground therefore, we desire to repeat our earnest remonstrance, and to urge besides on your attention the remark, that in recommending them to reverse the whole action of their own immediate superior, the Vicar, during his absence, your Lordship was scarcely adopting the surest way to inculcate respect for authority or faithfulness to pledges and obligations.

“ We feel, moreover, that in straining your jurisdiction so far, your Lordship acted towards the Clergy, and especially towards Mr. Stanton, in a manner which is open to serious objections on other grounds. These are not times when Bishops can afford to disregard the claims which the most deserving Clergy have on their justice and good will. At a time when public attention is keenly directed to the conduct of the ecclesiastical body—when abuses are nearly impossible to be hidden or long sustained, public opinion is beginning to exact some tokens of approval from authority for exemplary clergymen, some marks of censure for the negligent and indevout.

“ But the only ecclesiastics in your Lordship’s Diocese whom you have singled out for marks of disapproval, are precisely those who (as even your

Lordship's predecessor, no favourable witness, acknowledged) are patterns of unflagging zeal, and of devotion to the spread of the Gospel amongst the poor.

“ We should have anticipated that your Lordship, having only too many clergymen within your jurisdiction who are content with doing the very least which can be legally exacted from them in return for their incomes, would have been glad to recognize and acknowledge such services as Mr. Stanton's twelve years of unpaid, unwearied, and most effective labours amongst the poor of this densely-populated parish. Zeal of such a quality is surely not so common, that your Lordship should find it necessary to repress it, by laying Mr. Stanton and his colleagues under a restriction which you have not imposed on any other Priests in your Diocese, and which amounts, in fact, though not in name, to actual inhibition,—nearly the heaviest slur in your Lordship's power to inflict upon gentlemen in their position.

“ We have said that the restriction amounts to an inhibition, and we proceed to justify this statement, by pointing out to your Lordship that the terms of the Purchas Judgment cover a great deal more than the

Eucharistic Vestments and the Eastward Position ; so much so, in fact, that we may confidently say that there is not one solitary Church in your Diocese nor in the whole of England and Wales, where the findings of the Judicial Committee of the Privy Council in *Martin v. Mackonochie* and *Hibbert v. Purchas* are, or can be, strictly and literally obeyed. Every Church, for instance, where the officiant wears a black stole or scarf, supplies as salient an example of what your Lordship was once pleased to call “*anomia*,” as one in which all the condemned usages are maintained. It is not permissible to pick and choose in matters of law, and if your Lordship enforce these findings, there should be no distinction of degree or persons. In the case of our own Clergy, we entirely fail to see what they have done to merit such treatment at your hands —particularly as their prompt and judicious action during Mr. Mackonochie’s absence appears to us to have extricated your Lordship from a position of much difficulty, and thereby entitled them to some marks of your gratitude.

“ Finally, to return to our own part of the matter : as a congregation, we cannot but feel that your Lordship’s action was in some sort aimed at us. Unable

to prevent our resorting to another Church than that whence the reverent appliances of divine worship had been temporarily banished to please an 'insolent and aggressive faction,' or to suppress the ceremonial in that Church by a mere monition, and without fresh process of Law, your Lordship has thought fit to harass us by refusing us the satisfaction of being there ministered to by our own beloved pastors, though the only result thus achieved was not to mutilate the ceremonial at St. Vedast's, but merely to limit the choice of officiants. At a first glance, this policy, obviously ineffective, and worrying at best, seems both undignified and vindictive. We should be very sorry to attribute such epithets to your Lordship's acts, but desire to point to you that others will almost certainly do so. And we therefore close this our remonstrance, by requesting that your Lordship will take, and that speedily, such steps as will satisfy the public that you have reconsidered and retracted your attitude towards the Assistant Clergy of St. Alban's.

"We are,

"Your Lordship's very faithful servants,

*"The Committee acting on behalf of the
Congregation of St. Alban's."*

But in the meantime, Mr. Mackonochie had felt so deeply the uncalled-for action of the Bishop, that he had addressed the following "Letter of Remonstrance" to him;—

“ REMONSTRANCE, &c., &c.

“ My dear Lord Bishop,—

“ The circumstances under which I resume the Sacred Ministries of my Office demand from me some few words of comment. For many reasons, there is no one to whom I can so fitly address these words as to your Lordship.

“ My Suspension compelled me to leave to your Lordship the Pastoral care of God’s people committed to my charge ; the Guardianship of the liberties of the Clergy associated with me in the work of the Parish ; and the office of strenuous Protector of the Church of Christ, and Her Rites and Ceremonies, against the tyranny of the enemy. I must crave leave, with the most profound deference for your Lordship’s office, to remonstrate as respectfully, but also as earnestly, as I can, against the manner in which the duties thus devolving upon you have been discharged. Generally, I do not find that your Lordship has once

come to the Parish, to give to the people smarting under the injustice done to them one word of sympathy or comfort, either in Church or otherwise. I do not find that you have addressed to my Brother Clergy any advice but such as the mere axioms of the code of honour between man and man forbade them to accept; and I find them, in consequence of their endeavour to minister to our people without compromising your Lordship, desired in your letter of the 3rd inst. to desist from taking part in the Service of God in any Church in your Lordship's Diocese except this. I am aware that the wording of your letter restricts the direction to the not officiating in any Church 'where the same ornaments and ceremonies, *or any of them*, are in use.' I cannot say for certain, but I greatly doubt there being a single Church in the Diocese where none of the prescribed ornaments are used. But let me speak somewhat more specifically.

"I. It will be said that it was your Lordship's duty to enforce the Law, and that you believe the discredited 'Purchas Judgment' to be Law; therefore you could not help yourself. Let it be granted that you were bound so to enforce a Judgment given in one case without a defence, in the other without a hearing.

Was it therefore necessary to call upon the Clergy of the Parish, in the enforced absence of their head, to inaugurate a new policy in direct contradiction to the whole plan of his work? Could they in common honour have consented to lend themselves to such action? Your Lordship was once a Parish Priest. Imagine some enemy stirring up the Courts against the Rector of St. James', Westminster, thirty years ago. Imagine a sentence of suspension unjustly obtained against him, for some part of his work which he knew himself to be absolutely bound to uphold. We must suppose such an one to have had some convictions of the positive obligation of something—an obligation going beyond human Courts, up to the Court of God. Imagine him to find that during his Suspension a Senior Curate, whom he had trusted as himself, had consented to be made the agent for upsetting that which his Rector knew to be of such vital importance to his own very existence before God. What would he have thought of his Curate? But still it will be said, 'What was the Bishop to do?' I would venture, my Lord, to suggest that there was only one course—that which St. Peter or St. Paul, would have adopted—which even in these degenerate days a

Wilberforce or a Hamilton would have followed—to have himself taken charge of the Parish, releasing the Parochial Clergy from their obligations, and, himself, with the aid of his Chaplains, carrying on the Services for the time. No doubt the Parish would not have liked the course, but it would have respected it for its courage and straightforwardness.

“II. But your Lordship ‘will not anticipate any unwillingness’ on the part of the Clergy here, to directly reverse the whole principle of my work as regards the externals of divine service, and to strip the highest act of the Church’s Worship of the commonest requirements of decency. It is true that your Lordship only requires a compliance with this direction on the part of the Assistant Clergy during my absence: but it is manifest that, had they consented to act in accordance with it, they would at least have compromised to a great degree any action on my return.

“It may have been your Lordship’s surprise at finding an unwillingness which you had not anticipated, that induced you to show so great harshness in your action towards Mr. Stanton and his colleagues.—I mention Mr. Stanton specially, both because of the

wilful misrepresentations of his words and acts by the daily press, and also because his position as Senior of my Brethren working with me, and his standing of nearly thirteen years as Curate in the Diocese, during the whole of which time he has worked entirely without remuneration, place him in a somewhat different position from most of the others.—How stands the question with regard to them? After the interview with your Lordship on St. John Baptist's Day, they found themselves in this position :

“ i. Responsible to me, as Priest of the Parish, and more still to the Great Head of the Church, for giving the Bread of Life to our people.

“ ii. Debarred by your Lordship from giving It to them in this Church, in such a way as they could conscientiously give It, or the people conscientiously receive It from them.

“ Your Lordship's demands, although in some points greatly exceeding the decrees of the Court, were without question minutely obeyed by the St. Alban's Clergy. But to minister the Holy Sacrament of the Eucharist was impossible, even if your Lordship had asked it of them, when they could only do so

standing at the north end, with no Priestly Vestment—with a Surplice only, not even a Stole. Some will say, ‘Well, but surely the Consecration of the Sacrament is valid, even so.’ Yes, my Lord. Just as a subject needs only personal soundness to serve truly and loyally his Sovereign; but would be thought hardly respectful if he therefore went in dressing-gown and slippers, instead of Court attire, to the Levee.

“In this dilemma, the kind offer of Mr. Dale—a kindness which I hope will never be forgotten, either by St. Alban’s people or by Catholics at large in the Church of England, and for which it has been my privilege to return him, in their name, hearty thanks—enabled them to direct the people to a Church in which the Sacrament was to be found ministered in a manner which did not shock their religious sensibilities, or in any way compromise your Lordship. Accordingly the congregation went to St. Vedast’s, and, by the request of Mr. Dale (partly in order to facilitate the addition of a Celebration for the better accommodation of our people), two of our Clergy officiated, strictly according to the usages of that Church. Your Lordship was aware of the fact that they had thus

taken part in the St. Vedast's services on Monday morning, and, on the same day, of the fact that they would again take part in them on St. Peter's Day. You did not, however, express any disapproval of their doing so, or any wish that they should not do so; you did not see Mr. Stanton about it, or write to him asking him to desist, till on Saturday, after midday, when all the arrangements for Sunday had necessarily been made, a *quasi*-formal letter came from your Lordship directing them not to officiate there, and that in terms which practically—as I have said—extended the direction to a prohibition, during my absence, from officiating in any Church in the Diocese. Was this dealing fairly with either Church?

“Allow me, my Lord, to put a case. Some very eminent lawyers have thought that the Vestments are not only legal, but obligatory. Suppose that the Judges in the Purchas Case had taken that view, and that the decision had been forced upon some congregation, which could not conscientiously receive Communion where the Vestments were worn. They take refuge in a neighbouring Church, in which the Judgment has not been as yet enforced, and where

their Clergy are invited to assist. How would your Lordship have dealt with such a case? I venture to think that, whatever might have been your line of conduct, you would have thought it very hard that the persecuted Clergy and Congregation should be further molested. It is especially hard then that the 'pound of flesh,' to say nothing of the blood of souls and sundry additional ounces of flesh thrown in, should be exacted of us. The Primate does not obey the Judgment; the Archbishop who drove it through the Court does not obey it; scarcely any Bishops give the least heed to its decrees in their own acts; and it is at least very difficult to find a church in which some kind of Stole or Scarf is not worn, although just as illegal, according to the Judgment, as a Chasuble. Yet we are driven to bay in this manner.

"I must not conclude this part of my letter without expressing my deep sense of gratitude to my Brother Clergy, and even more to our most staunch and brave Churchwardens and Laity in this Parish, (but especially to Mr. Stanton,) for the manner in which they have acted in my absence. I have indeed to be very thankful for the hearty support of my Churchwardens through the whole of the years of persecution,

but more than ever now, because the effort is so much greater. The circumstances have been very difficult, and had it not been for the energy and zeal, combined with the wise and careful thought, and the self-restraint exhibited by all, I should find my return to my Office a far more difficult matter than it is. Furthermore, the grand and perfectly independent action of the working-men has been a great strength. It has been entirely their own work in its origin and in its conduct, and sets, I venture to think, a notable example to English working-men in general. I am glad of this one bright spot in a very painful letter. All are telling me how, by the blessing of God on the prudence and fortitude of their Clergy, and this responsive energy of the Laity, a deeper bond of union than ever has been formed amongst the Members of the Parish and Congregation.

“I conclude with three further points of remonstrance.

“1. Why have I been singled out of the whole Diocese during these eight years, as an object of persecution? I was almost the only Priest who, after a consultation amongst ourselves, made certain alterations in the details of Divine Service, before

actual persecution began. I have honestly and exactly obeyed each successive Monition, and have been kept in an almost unceasing warfare the whole eight years. I was, much against my own will, placed in this Church, the very grandeur of which called for a corresponding dignity in the conduct of the Services. I was avowedly a man of extreme views as to Ritual, and of deep convictions as to the essential connection between a sound faith and the Ritual expression of it. I refused to think of accepting the charge of this Parish unless I could do so unconditionally, without any sort of agreement to be guided by the wishes of the Founder as to the management of its Church or its Services, beyond a general desire to consider those wishes, so far as my duty to God, to His Church, and to my people, should allow. I thus deferred for ten months my being nominated to it; during the whole of which time and ever since I have stood firm to this resolution. My Nomination was intimated to the Bishop by a letter, in which the Patron said of me, ‘He knows that it is my desire that the work at St. Alban’s should be carried out with hearty allegiance to the Church of England—neglecting none of the means of edification

which she supplies either in Doctrine or Ritual, but using the large liberty which she allows with loyalty and discretion.' It has been for the loyal use of this liberty that I and my people have been persecuted for eight years. I was presented at the outset by the founder with Alb, Girdle, Stole, and Chasuble; the latter no doubt of linen, but, I believe, the only Chasuble then worn in the Diocese. St. Alban's has never, since I gave up wearing that linen Chasuble, been in the front of the churches called Ritualistic. We clergy had other matters before our minds—the conversion of sinners, the gathering in of the thoughtless, the edification of the faithful, and the glory of God, to which Ritual was only a means. By God's blessing we have succeeded in these things: our Ritual has done its work. Is it *therefore* that we are prosecuted? If so, surely we might have hoped that our Bishop would not have been on the side of the persecutors. It is remarkable that till within the last few days the persecutions in this Diocese have been directed against us only. Why? What is the private spite against us that has made us the continual butt for the Protestant bullets? We have not done anything to injure anyone. We and our

Congregation are one, and have throughout been one. The Parish does not distrust us. If it did, there would be no need to seek a non-parishioner to head the persecution, and to pay spies to furnish information. Our Schools are so full, although they were only built last year to give us more room, that we shall be obliged to send away from the Boys' School a considerable percentage of the less regular, to keep our average within the Government limit. These children are mostly Parishioners, so that this does not look like mistrust. We are said to alienate as many as we draw; but where are they? It must be remembered that we came to a new Church, without a congregation, so that we could not alienate those in possession. We may have failed to attract some, but we have filled the Church, and that mostly with Parishioners. What could we do more? Then, again, the non-parishioners who come must have been repelled from somewhere. No one asks whence;—but whence can it be, except from the empty Church-Association Churches round us?

“ This last St. Alban's persecution is avowed by the organs of the persecuting party to have been instituted simply to enable them to obtain the services

of a particular Counsel, when two other suits, raising nearly the same points, were already before the Courts. Surely I might have expected that your Lordship's authority would have been exerted to prevent this fresh attack until the other cases were decided.

“2. Why have the Bishops broken faith with us in regard of our Ordination Vows? When we were ordained, we accepted as the Church's Standard that which this ‘Church and Realm’ hath received; and we have still in divers places in our Prayer Books very clear statements of the relative positions of Church and State. Now we are told by our Archbishops and Bishops that it is the ‘Queen's Prerogative’ to define how the Sacraments are to be administered; to whom they may or may not be administered; and what doctrine may or may not be taught in our pulpits. What would be thought of the Directors of any Limited Liability Company who kept such bad faith with the shareholders in temporal things, as in spiritual things the Bishops of Christ's Church are keeping with His people?

“3. Why have the Bishops consistently, for at least forty years, done all that they could to alienate the

only section of the Church that cares one straw for their sacred office? Why does each Bishop as he attains that high position—whatever may have appeared to be his convictions before—turn round upon those who might have expected him to carry to the Episcopate some idea of their minds, motives, and intentions, and show himself, almost invariably, as unstatesmanlike and unsympathetic as those who went before him? Is it wise, my Lord, in a time when Disestablishment, if it be not upon us to-day, is certainly not far off, for the highest order of the Ministry to repel so determinedly the only Members, either of the Clergy or Laity, who will retain any respect for their office when it is no longer gilded with a Peerage? We may learn from the action of the Disestablished Church in Ireland with what scant courtesy a Puritan majority is likely to treat its Bishops. Do your Lordships wish to be equally destitute of a body of Priests in the Second Order, ready to support you? We, Catholics, know that what is under the gilding is far more precious than the gilding; but we know it only by virtue of those principles for which we are persecuted. If the Great Sacrament of the Altar is no more than the Church Association would have it

to be, the lesser Sacrament of Orders, and with it the Episcopate, is certainly less than nothing.

“I have made my Remonstrance. If I have put things strongly it has not been out of disrespect for your Lordship, or for that Office which, in spite of the Privy Council, I still believe to be sacred. We are indignant—most deeply indignant—but our indignation is against the things done, and not against your Lordship, who has indeed been the agent, but whom we would gladly exonerate from the blame of those things. If in anything this indignation has expressed itself too boldly, I can only crave the indulgence due to those who smart under the sorest injustice to which earnest-minded men can be exposed.

“Believe me,

“My dear Lord Bishop,

“Yours most respectfully,

“ALEX. HERIOT MACKONCHIE.

“St. Alban’s Clergy House,

“Brooke Street, Holborn, E. C.

“July 23, 1875.”

“Since writing the above, a Memorial has been presented to me by the Churchwardens, Parishioners, and members of the Congregation of St. Alban’s,

Holborn, signed by 3350 persons, of whom 1450 are men. Of course, many of these are members of the Congregation who have left the immediate neighbourhood, but whose hearts are still in this Church. It testifies to their conviction of the impossibility of the 'Purchas Judgment' ever being adopted by us, whether we minister in this Church or not; and pledges those who have signed it to support their Clergy in any course which we may decide upon as the best for securing to them the enjoyment of their liberties as Catholic Christians in the Church of England. It was presented at a crowded Meeting, the whole tone of which was as free as possible from excitement, but most earnest, and determined to submit to the loss of any amount of spiritual privileges, if that should seem right to us, rather than be outraged by the provisions of that most illegal decision. Surely, my Lord, such a Memorial ought to plead strongly for the exercise of all the authority which belongs to a Bishop, to stop wanton persecutions, not so much of the Clergy as of the Congregation."

CHAPTER IX.

OUR CLERGY.

WE cannot allow this opportunity to pass without recording our deep sense of the noble conduct of the Rev. Mr. Pelham Dale, in coming forward to save the Church of St. Alban's from what we should have looked upon as almost desecration, and ourselves from the loss of our chief Christian privilege on account of our natural determination not to countenance such desecration. The generosity of this spontaneous act of his is still further marked on account of its being unparalleled.

We also wish to offer to Mr. Stanton and Mr. Russell our most heartfelt thanks for the line of conduct they followed on this trying occasion; we indeed felt ourselves to be fortunate in having two Priests so fearless in the defence of our rights, and so entirely unanimous both with Mr. Mackonochie and ourselves. Nor can we forbear in this place to make some mention of their work and the relation in which they stand to Mr. Mackonochie. They are men, who,

sacrificing position and the desire of advancement, devote their whole means and energies to their work among the poor of this crowded Parish ; it is a work of love, quietly and unostentatiously done, with little to attract the attention of the outer world, and yet its effect is such as to have changed the whole aspect of the Parish in a remarkable degree. We, who know and appreciate their love and devotion, may perhaps be allowed to record our opinion of their work in these few words ; its result will only be known when they are attested by the numbers who have been saved from a life of misery and degradation, and when they themselves receive the unfailing reward of the promise to faithful servants. Of their relation to Mr. Mackonochie, he himself shall speak in the words used by him on a recent occasion :—“ It has been my one great joy during my ministry in this place, that my brother Priests and I were one ; there was not one single hair’s-breadth of difference between us. I can always drop the *I* and say *we*. I said to them when we first came here, our strength will be in our unity, There must be a centre in a corporate body ; there may be occasions in which that centre must moderate with his own opinion the opinions of others ; and

when his opinion differs from the opinions of the others, he may have to overrule the opinions of those who work with him. But we are all Priests; one may be leader, but we have the same Orders; and therefore our strength should be in unity. Whatever then is done at St. Alban's is not done by one or the other, but emanates from all; one may act in the body, we all act in the spirit."

To complete this Chapter we append the Memorial alluded to in the Postscript of Mr. Mackonochie's "Remonstrance."

"REVEREND AND DEAR SIR,

"We, the undersigned, Churchwardens, Parishioners, and members of the Congregation of the Church of St. Alban the Martyr, Holborn, take the opportunity—while expressing to you our sense of the grave, moral, and even legal injustice of your Suspension, and our own increased attachment to your person and teaching, in consequence of the persecution of which you have been the subject—of bringing under your consideration the view we entertain of the crisis which has been forced upon you and ourselves together.

"The action of your opponents in continuing their

prosecution, after you had made many and serious concessions in the mode of performing Divine Service, which were highly distressing to most of ourselves, has clearly established the futility of all attempts at compromise. The object of the prosecution is not, as it professes to be, the restraint of excess in certain matters of ceremonial; but the entire prohibition of most of the tenets and usages which the Church of England has inherited from undivided Christendom; and, as the only motives which prompted your action were a desire to obey the clear law of the Church, and to conciliate opposition, we apprehend that a policy which rejects conciliation, and endeavours to force disobedience to the law upon you, entitles you to reconsider your course, and look henceforth to the claims and needs of your own congregation, which we believe to accord entirely with any fair and reasonable interpretation of the Law of the Church of England.

“We, therefore, beg of you to resume the usages which you have laid aside, and to enable us in this wise to recover those full advantages of Catholic Worship which we enjoyed before your first prosecution.

“We are not unaware of the very grave issues

which may flow from this request, should you grant it; and we even very well understand that, in face of the persistent rancour with which you are assailed, it is more than probable that serious consequences may befall yourself in the event of your resumption of the interrupted usages.

“ We beg that, if this be your own belief, you will not expose yourself to fresh evils on our behalf; but we are not, on the other hand, prepared to acquiesce in the maimed and denuded Eucharistic Worship which alone would be accorded us under the terms of the Purchas Judgment.

“ We are fully prepared to make sacrifices on our own part, and would prefer, when we desire to communicate, seeking the altars of some of the neighbouring Churches, to having St. Alban's made the scene of a form of Service so deplorably inferior to that which has been customary there. If the usual Morning and Evening Prayers, with which no serious interference has hitherto been made, be carried on as before, and the Holy Communion be discontinued, save on the three necessary days each year, until this tyranny be overpast, there will be no available material for prosecution, and we may reasonably look forward

to such a settlement of the dispute in the Church as will enable us, after a short interval of trial, to worship God in peace with the kind of Service He has been pleased to reveal in His Word and to maintain in His Church for nearly two thousand years."

CHAPTER X.

OUR WORKING MEN.

THIS little Book of ours would not be complete without a chapter upon the action taken by our working men in the Parish of St. Alban's. The *bona fides* of their movement we hereby vouch for; it originated with them, and they have carried on the work entirely by themselves. The Clergy were purposely, and for reasons which must be obvious, kept quite ignorant of their movements; and they regard with a jealous eye any intruder into the precincts of their Committee Room, where they carry on their organisation and correspondence, and where the working man is always welcome and his services soon enlisted in the good cause.

The origin of the movement was of the simplest character. One working man simply remarked to another, "Can't we do something, we working men, to protest against the suspension of Mr. Mac-konochie?" These two men spoke to a few others, and so the ball was set in motion until a Committee

of twelve were appointed, a Chairman elected, and also a Secretary ; and in a very few days a Protest to the Archbishop of Canterbury was adopted and signed by 525 working men, all Parishioners. This is how the work began ; and the following Report of their interview with the Archbishop, on presentation of the Protest, will not fail to be of great interest to the reader. It is taken from the *Church Times* of the 23rd July, 1875.

“ On Thursday evening (July 15th) a deputation from the St. Alban's Working Men's Protest Committee, consisting of Messrs. W. Thorpe, chairman, Mr. C. Powell, secretary, and Messrs. Rudd, F. Powell, McDermott, and Matthews, waited upon the Archbishop of Canterbury to present a Protest which had been signed by 525 *bonâ fide* working men parishioners against the suspension of Mr. Mackonochie.

“ The deputation having been introduced to his Grace by Mr. Thorpe, the Archbishop said that he could not receive any Protest, and continued : You know, supposing that the Queen's Bench had decided a civil case by the Chief Justice of the Queen's Bench who acts in the Queen's name, you would never think of going to Windsor Castle to appeal against what the Lord Chief Justice had decided. You understand a

person has no appeal from the Judge to the individual in whose name the Court is held. The Queen, according to the constitution of this kingdom, has no personal jurisdiction whatever over the Lord Chief Justice or any other Judge, therefore it would be ridiculous to go to the Queen and ask her to stop a case. It would be quite ridiculous for the Archbishop of Canterbury to go to the Court of Arches and try and stay a case, or reverse the decision of the Judge if any one did not like his decision. There is no appeal from the Privy Council to me. It is ridiculous to come to me as if I had any authority. I have no more to do with it than you have. You understand, therefore, that I cannot, under any circumstances, receive any Protest or Appeal as to what has been done in the Court of Arches. But then if you individuals, members of the Church of England, want to have a talk with me, who am the chief minister of the Church of England, I am quite willing to hear you and give you advice.

“The Secretary, Mr. C. Powell, then said: Your Grace, in your letter, did not give us to understand that a Protest would not be received. We appeal against no Court in particular, we are here as working men having a grievance, and do not know that there is any other way, or any other place, at which to appeal for the redress of our grievance.

“His Grace remarked: As far as I understand, you simply want to express your dissatisfaction with things

in general, but you must understand two things. 1st, I have no authority whatever to review a decision of the Court; and, secondly, I have no authority whatever to interfere with the Bishop of London. I simply see you because you want to have a conversation with me as chief minister of the Church of England.

“The Secretary: We are working men, and, of course, know nothing whatever of the Privy Council or the Court of Arches. All that we know is that St. Alban’s has been doing a work amongst us which will be a lasting monument, and, of course, it comes upon us with very great surprise that all of a sudden we should be debarred from Holy Communion.

“His Grace then asked by whom.

“The Secretary: Our parish priest refuses to Celebrate under the conditions prescribed by the Purchas Judgment, and if he would, we, the laity, would not receive under these circumstances. He does not administer owing to the uncertainty of the law.

“His Grace: Then it is not your clergy who debar you, but you yourselves?

“The Secretary: Holy Communion is not celebrated owing to the uncertainty of the law. Mr. Mackonochie refuses to celebrate under these conditions. The Bishop is the prime mover in the matter, and will not allow us to celebrate except under the Purchas Judgment. We don’t mention the Purchas Judgment, or anything else, in the Protest.

“The Protest was then read, the word ‘Protest,’ in accordance with his Grace’s wish, being altered to Memorial.

“‘*To the Right Honourable and Most Reverend his Grace the Archbishop of Canterbury :*

“‘May it please your Grace,—We, the undersigned, being each and all of us *bonâ fide* parishioners of the parish of St. Alban’s, Holborn, and for the most part working men having children attending the parochial schools, communicants or attendants at the church, learn with sorrow that our much respected Vicar, the Rev. A. H. Mackonochie, has been again suspended from his spiritual office by the Court of Arches, at the instance of a non-parishioner, and desire, in the most emphatic manner possible, to exercise our right of protesting against this renewed attack upon our liberty by this unjust persecution.

“‘We, the poor, are of all others the persons most interested in this matter. *To the poor the church was consecrated for ever ;* and we cry for justice now that an attempt is being made to rob us of the same. We live in the midst of the work. None know better than we the great good that has been wrought amongst us through the ministrations of the Rev. A. H. Mackonochie and his band of devoted priests, and full well can we picture the gap that will be left should their services be lost to us. Therefore we do most earnestly protest against the injustice the clergy are now suffering,

and plead for their freedom from further persecution, and liberty for us to worship God according to our belief in peace and quietness.

“‘ We beg to testify to the great zeal of the Rev. A. H. Mackonochie and those associated with him, and point with pride to the many societies and institutions established for our benefit during the thirteen years which he has been amongst us, and to the deep and affectionate interest that has been taken with the education of our children—which alone ought and does endear him to us in a manner that words fail to express. Your Grace, this Protest emanates from working men, and is perfectly spontaneous, and is an honest expression of our disapproval of these persecutions. We are not able to embody our ideas in high flown language, or even grammatical terms, but in plain honest language which alone we understand. We tell your Grace, that we working men of St. Alban’s Holborn, consider ourselves deeply aggrieved that our freedom of worship should have been attacked in the manner that it has been, and humbly ask your Grace to take this Protest into consideration, along with others that may perhaps be more influentially signed, that may be presented to you.

“‘ And the undersigned will ever pray.’

“ His Grace then asked what they wanted.

“ The Secretary: Not to allow this persecution to proceed while the law is in its admittedly uncertain state.

“ His Grace : Do you wish me to interfere.

“ The Secretary : We want your Grace to allow the services to proceed as before.

“ His Grace : You ought to go to the Bishop of London. You can't expect to get any help from me, as I have nothing to do with it ; St. Alban's is not in my diocese.

“ The Secretary : Your Grace must allow we have a grievance. We want you to use your powerful influence either by public expression of sympathy or in some other way.

“ His Grace : I feel great sympathy for any one who finds the connection with his pastor is interrupted, whether it is by the pastor's fault or by whoever's fault it is. I cannot help thinking it is entirely by the fault of the pastor the whole thing has arisen. Any Englishman living in England is bound to obey the law of England, and the law of England must always be laid down by the authorities ; and having been laid down, if a man says he cannot give you the Holy Communion because he would not be allowed to break the law, he is doing decidedly wrong.

“ Mr. Thorpe : The complaint is made by a non-parishioner. I want to know whether a non-parishioner has a right to interfere as Mr. Martin has done.

“ The Archhishop : Has he never been to the church ?

“ Mr. Thorpe : He has publicly stated that he has never been and never intends going.

“ The Archbishop : I have no doubt the Judge, who is a man not at all likely to omit anything, took note of that. No doubt if the objection was made to the prosecutor as being a non-parishioner, that was fully attended to, and overruled as not being good law.

“ The Secretary : I would like to draw your Grace’s attention to a couple of extracts respecting the uncertainty of the law.

“ The Archbishop : With what object.

“ The Secretary : The object is to show the injustice of this sentence being carried out by a Secular Court.

“ The Archbishop : The Privy Council as the Queen in her Prerogative is entitled by law to proceed in matters of that kind with the advice of her Bishops. It is not a Secular Court, it is the highest Ecclesiastical Court in England.

“ The Secretary remarked that the extracts put the matter in a way in which they themselves could understand it.

“ He then read the following extracts :—‘ The law of God is supreme and its infraction admits of no extenuation. The knowledge of God’s law is given us by the Church, and the Church’s law ought to be—and as Churchmen believe in all essentials is—in harmony with the law of God. A law of the State—a power ordained by God—ought to harmonize with the laws of God and His Church, and it binds the conscience of its subjects unless it contravenes the supreme authority

of the Divine law. When this happens the subject of the State, however loyal, if he be a Christian, has no option but to become a law-breaker, and it has been as law-breakers of this character that God's people of all ages have vindicated by constancy and suffering, even unto death, their fidelity unto Him Who is Lord of all.'—Quoted in '*Correspondence and other Documents on Position of the Celebrant*' as the words of the Right Hon. J. G. Hubbard, M.P.

“ ‘So bewildering and contradictory are the arguments and judgments of the Privy Council that it is difficult to draw from them any certain conclusions as to the present legality of such ornaments,’ etc., etc.—*Letter on “Ritual Revision,” by the Right Hon. J. G. Hubbard, M.P.*

“His Grace remarked that he thought the clergy had refused to obey the Court of Arches formerly. Has Mr. Mackonochie obeyed in the matter of incense?

“Mr. Thorpe observed that in the matter of incense, etc., it was obeyed.

“His Grace: I suspect if you look carefully at it you will find the decision of the Court of Arches was not obeyed in St. Alban's before it went to the Privy Council. I don't believe any person is so willing to obey the Court of Arches. If a man was anxious to obey the law as laid down by the Court of Arches there would be no difficulty.

“The Secretary: The Court of Arches gave us leave

for vestments before, and allowed the Privy Council to overrule it in this latter case.

“His Grace : Of course if there is an appeal from one Court to another the inferior is bound to obey the superior Court. If a man is to be allowed to set his own will against the declared law of the land, what on earth is to become of us ? . What do we keep Judges for except to declare the law, and when once they have laid it down it must be obeyed. Is every man to interpret the law for himself ?

“The Secretary : Your Grace, if I may be allowed to use so strong a term, I may say we did not come here to be entrapped into a legal argument, we came here for advice.

“His Grace : If you want advice I will give it you.

“The Secretary : Where and how are we to get Holy Communion ?

“His Grace : In any church you please to enter.

“The Secretary : What, your Grace ! away from our parish church, and we want it as we have it at St. Alban's.

“His Grace : You cannot get it. You ought to represent to your clergy that they are guilty of a great offence. The question you really ask me is, how you can in the Church of England receive Holy Communion contrary to its law ? You cannot get it anywhere, and in any well-constituted community the answer would be the same. Supposing you belonged

to the Roman Catholic Church and you said that you wished to receive Holy Communion according to the law of the Protestant Church, of course you would not get it. It would be the same in any well-ordered community. So when the Church of England has laid down certain rules for the administration of Holy Communion, and you ask to be allowed to receive contrary to those rules, there is no other answer to be given.

“The Secretary: We think the Bishop of London ought to come amongst us, and explain the matter. It is his duty as a Right Rev. Father in God to come and preach to the people and hold Confirmations, but St. Alban’s has been passed over in the matter of Confirmations repeatedly.

“His Grace: And quite right too. If he were to go to St. Alban’s and mix himself up with their ceremonies, it would be taken as a recognition of them. I have done so myself in a number of cases.

“The Secretary: But, your Grace, everything ought not to be ignored. Our priests are English gentlemen, and they have not had the treatment due to gentlemen. Even your Grace, in Convocation, made a statement concerning Mr. Stanton that was not quite true.

“The Archbishop: I have made no statement. I said *if* Mr. Stanton had said what was imputed to him he did wrong.

“Secretary: Your Grace, we say in our workshops

‘if stands stiff;’ the ‘ifs’ in these matters are not always noticed, but the purport of the statement is accepted by us.

“ His Grace : To the best of my remembrance something was said which ought not to have been said.

“ The Secretary : Mr. Stanton really said, as far as I can recollect, that he was expected to celebrate the Sacrament in a common choirboy’s surplice ; and, I think he said, ‘ that if he went into the King’s presence he ought to put on his church dress.’

“ Archbishop : If Mr. Stanton used those words relating to the surplice, he spoke unadvisedly with his lips, and I am ready to tell him so if I have the pleasure of meeting him.

“ Mr. Sirach W. Rudd : Your Grace, I am one of a deputation representing 525 *bonâ fide* parishioners. For a number of years we have been used to the services, and it is our great wish that they should continue as before. We believe the Church of England is a Catholic Church ; we believe that she teaches so by her creeds, and we do not like to be hounded down. We think it is time the working men should represent to you the interest they feel in the matter. People have been in the habit of saying that the parishioners have no interest in the matter, and we have come to show that the parishioners *have* an interest in it.

“ The Archbishop : Will you just tell me what is the particular thing you wish to be continued ?

“ Mr. Rudd : Holy Communion, as before.

“ The Archbishop : In what particular has it been altered ?

“ Mr. Rudd : It has been stopped altogether.

“ The Archbishop : It is extremely wrong on the part of the clergy.

“ Mr. Rudd : But it is our wish, your Grace.

“ The Archbishop : I think you did very wrong. If you can tell me what it is you want to have done in the Holy Communion that cannot now be done, I shall understand you.

“ Mr. Rudd : We want the vestments, the altar lights, and the eastward position, your Grace.

“ The Archbishop : Why do you want the vestments ?

“ Mr. Rudd : It is our belief that we cannot honour the Sacrament too much, and that it is not honoured by an ordinary dress.

“ The Archbishop : I suppose in every well-constituted society there must be some judicial authority, and if there is such an authority its decisions must be treated with respect. Supposing you want the law altered in your favour, you must use legitimate means to get it altered, which you are entitled to do, but till the law is altered we must agree to make the best of things as they are. It cannot be a matter of necessity that a clergyman should officiate in these vestments. No Bishop, ever since the Reformation, has worn these

dresses, and till within the last twenty years they have not been thought of.

“The Secretary: They have been worn by your Grace’s predecessors.

“The Archbishop: No, not for 250 years, and I don’t think the Church of England has been dishonouring the Holy Communion for 250 years.

“Mr. Thorpe: There are several cases pending. What are we to do meanwhile, your Grace?

“The Archbishop: My advice to you is this. While things are in this unsettled state, show an example of obedience to the authorities under which you are placed; these authorities may be right or wrong. In your judgment they are wrong, but you, of course, don’t wish to set up your own opinion against that of constituted authorities. You will never suffer any harm by submitting peaceably and quietly to the constituted authorities. If you wish matters to be altered, make your wishes known in the proper quarter, and they may, of course, in time be altered, but you can’t have your own way. One man may desire one form and another another, but he must be willing to sacrifice his own private will and opinion in order to do the greatest possible amount of good; and that is what your clergy and you ought to have done. You want my advice. If I can be of any use in smoothing matters with any one with whom you have to deal I shall be glad, but no good will come from a self-

determined effort to set up private opinion against the decisions which are set up by authority.

“ Mr. Thorpe : If the law had been properly defined we should have no grievance. We considered the unsettled state of the law. There are two cases still going on now.

“ Mr. Powell : We believe according to the doctrines of the Prayer Book as Catholics, and not as Protestants.

“ The Archbishop : But I am a Catholic. I am both a Catholic and a Protestant.

“ Mr. Powell : As Catholics we claim the full ceremonial which has been used in the Catholic Church in all ages.

“ The Archbishop : Except in the Church of England.

“ Mr. Powell : It is of the Church of England I am talking.

“ The Archbishop : The Prayer Book specifies what is to be done. How can the Church of England have erred. In all respects I suppose you will allow the Bishops are good Catholics, and none of them have worn these vestments and used these ceremonials.

“ Mr. Powell : Are we unfaithful in believing in the doctrine of the Real Presence ?

“ The Archbishop : My advice is believe in the doctrine of the Real Presence as taught in the Prayer Book.

“ Mr. Powell : If the doctrine of the Real Presence

can be taught and accepted we claim the ritual. We are unanimous. We number 2000.

“The Archbishop: You are bound to obey the law. You don’t consider the decision of the Court binds you, and I do. I consider it absolutely binding on you, unless you cease to be members of the Church of England. How many people are there in the parish?

“Mr. Thorpe: The parish is supposed to contain 8000.

“His Grace: Do you have the church full of parishioners?

“Mr. Thorpe: I can’t say that, your Grace. The Church was built to accommodate 800, and we often get a thousand. We have had as many as 1400. There are plenty of churches round about which are not half filled.

“His Grace: There must be a vast number who do not go. How do you know some of them are not kept out by these ceremonies?

“Mr. Thorpe: There are plenty of other churches within a stone’s throw, your Grace, that do not have more than thirty.

“The Archbishop: Yes, I know. The Church of England has laid down and lays down by these Courts a regular system, and if individuals wish to have another system the chances are they will offend and keep out of the church more people than are brought in. You are not entitled to make your own wills

the rules by which other people's devotions are regulated.

“Mr. C. Powell : Your Grace must admit the zeal of the clergy.

“His Grace : I have no doubt about the zeal of the clergy, but I have about their discretion. I have great doubt about their having acted wisely, and I think their own consciences will prove it when they have time to consider the matter.

“The Secretary : We don't pay rioters so much a head, as can be proved, to disturb people's devotions. Nor do we hire spies as Mr. Martin has done. And when the churchwardens made a presentment to the Bishop of London as to this, no notice was taken of the same by his Lordship. We ask your advice—do we interfere with others who break the laws of the Prayer Book in various ways ?

“The Archbishop : My advice is, both you and the clergy ought to obey the law of the Church of which you are members, and if you put your own private opinions against the law you are guilty of great impropriety, and I hope and trust that on fully considering the matter you will be ready willingly to obey the decisions of the law of the Church of which you are members. It is quite a mistake to say it is the law of the State against the Church, it is the law of the Church interpreted in the regular way according to which ecclesiastical law must be interpreted.

“The Secretary: Your Grace does not give us any sympathy.

“The Archbishop: I have sympathy with you in your distress, but I cannot feel sympathy with you in your disobedience to the law.

“The Secretary: This is a working man’s question and, when the working classes of this country become aware of the manner in which their heritage in Church matters is being attacked, they will rise up, and the Church of England, as an established Church, will fall; the working men of themselves could cause the whole fabric to fall about your ears.

“The Archbishop (smiling): Oh, nonsense, nonsense. As to refusing to receive the Communion without these dresses, you show little appreciation of the Holy Ordinance which our Lord Himself appointed.

“At the close of the proceedings his Grace, addressing himself to the reporters that represented the daily press, said: Of course this will not be made public.

“Mr. Powell stated that they could not, under any circumstances, look at the matter in the light of a private interview, and intended to publish the whole proceedings, as St. Alban’s people had nothing to fear from publicity.

“His Grace: But this is like coming into a gentleman’s house, having a private conversation, and then publishing it.

“ Mr. Powell : We do not look at this interview in that light.

“ The Archbishop : Then take your own course.

“ His Grace did not take formal leave of the deputation.”

It is not within our province to offer any comments upon this dialogue between His Grace and the Working Men further than this. One of the great problems of the day has been, “ How to bring back the working classes into the Church ? ” Here then was a chance for the Archbishop, a glorious opportunity that should have been made the most of. It has not often occurred in the history of our Church, certainly not within the last century, that 525 working men have spontaneously formed themselves into a Deputation, and sought Fatherly Counsel from the Spiritual Head of their Church, complaining that through the suspension of their Parish Priest they were denied the Sacrament of the Altar. But the Archbishop lost his chance. The working men had asked him for *bread* ; he offered them a *stone*.

Determined not to let the matter drop, they then applied to the Bishop of the Diocese, to see if he had

it in his power to help them ; with what success the following correspondence, also from the *Church Times*, of the 6th August, 1875, will explain.

“ 27, Baldwin’s Gardens, Holborn.

“ July 19th, 1875.

“ MY LORD BISHOP,

“ I am directed by the committee to ask your Lordship to name a day (excepting next Friday) when you can receive a deputation from our body, for the purpose of asking your advice and assistance upon certain matters connected with the parish church of St. Alban, Holborn, consequent upon the suspension of Mr. Mackonochie.

“ I am, your Lordship’s obedient Servant

“ CHARLES POWELL, Secretary.

“ Fulham Palace, S.W.,

“ July 20th, 1875.

“ SIR,

“ Would you oblige me by stating the points on which the St. Alban’s Committee request my advice.

“ The parishioners of any parish have a right to the advice of the Bishop on any matter of difficulty on which he is competent to give it ; but if it is a matter of difficulty, it is important that he should have time to consider it ; for if it should prove to be something about which he is not competent to advise, it would be

only wasting the time of a deputation to ask them to see him.

“I am, Sir, your obedient Servant,

“ J. LONDON.

“ Mr. C. Powell.”

“ 27, Baldwin’s Gardens, Holborn.

“ July 21st, 1875.

“ MY LORD BISHOP,

“ I am in receipt of your Lordship’s favour of yesterday. In reply I beg to state that our committee would much rather that our views were placed before you by a deputation, as we could better explain ourselves face to face with your Lordship than we could by letter: being only working men, and our time being valuable, there might arise a lengthy correspondence upon the matter; this we are anxious to avoid by your Lordship consenting to see us. Our time and convenience would be better studied, and as you express yourself kindly as anxious that our time shall not be wasted, this end would be gained by your Lordship kindly naming a day when our deputation could wait upon you.

“ I may say that in one important point which we ask your advice is the Holy Communion. His Grace the Archbishop referred us to your Lordship upon that point. Thanking you for your courtesy,

“ I am, your Lordship’s obedient Servant,

“ CHARLES POWELL, Secretary.”

“ Fulham Palace, S.W.,

“ July 22nd, 1875.

“ SIR,

“ It is with the view of saving your time and my own, that I am obliged to decline to receive a deputation till I have been informed what the points are on which my advice is sought.

“ Many questions might be asked on the subject of the Holy Communion to which you refer, concerning which it would be wrong for me to advise you off-hand.

“ I am, Sir, your obedient Servant.

“ J. LONDON.

“ Mr. Charles Powell.”

“ 27, Baldwin's Gardens, Holborn,

“ July 23rd, 1875.

“ MY LORD BISHOP,

“ I acknowledge the receipt of yours of yesterday, and deeply regret that you decline to receive our deputation without previously knowing what are the exact points upon which we wish to consult you. To place before you our course of action before seeing you, appears to our minds like going to a doctor for advice, and the doctor telling his patient that before he can see him, he, the patient, must write and tell him his chief ailments—or what we working men call feeling our pulse through the post. Your Lordship cannot really be serious in your refusal to see us on the

grounds you name. You say that you might require time to consider the advice you might be required to give on some points of the Holy Communion. We are simply working men, and not barristers or theologians, therefore we do not think that you would require much time for consideration upon any point we could place before you. Therefore, I earnestly ask your Lordship to reconsider your decision—and hope your Lordship will name an early date when we can see you.

“I am, my Lord Bishop,

“Your Lordship’s obedient Servant,

“CHARLES POWELL, Secretary.”

“Fulham Palace, S.W.,

“July 24th, 1875.

“SIR,

“In justice to yourselves, as well as to myself and my other duties, which leave me at present no spare time, I must finally decline to receive a deputation unless previously acquainted with the points on which you propose to ask my advice.

“I am, Sir, your obedient Servant,

“J. LONDON.

“Mr. Charles Powell.”

“ 27, Baldwin’s Gardens, Holborn,

“ July 26th, 1875.

“ MY LORD BISHOP,

“ I am in receipt of yours of the 24th, in which you finally decline to receive a deputation unless you are previously made acquainted with the chief points upon which we wish to consult you.

“ While submitting to you as our spiritual head, and thereby fulfilling our duty of obedience to you as our right reverend father in God, we cannot but think your Lordship has taken an unfair advantage of us ; and, considering our position, it is the more unkind, as it is forcing us into a correspondence which we were from the first anxious to avoid. We believe we have a moral, if not a legal, right of access to your Lordship, as parishioners, (*bonâ fide*), for the purpose of stating our grievance ; and that our right is unconditional. Your Lordship says otherwise.

“ Therefore there is no alternative but for us to act in conformity with your Lordship’s wishes. Our principal points, or grievances, are the following:—The suspension of our vicar, Mr. Mackonochie ; your inhibition of Mr. Stanton and the other curates ; to ask you where we are to get Holy Communion ; and to complain in general terms of the gross injustice of the whole system of persecution that St. Alban’s has had to undergo for the past eight years, and to complain of your Lordship’s personal neglect of duty

towards us as parishioners. Of law we know nothing—we do know we are suffering what we consider an injustice; and, smarting as we do from that injustice, we ask you as our Bishop to confer with us, and give us advice, and we hope consolation, under our difficulty.

“I am, your Lordship’s obedient Servant,

“CHARLES POWELL, Secretary.”

“27, Baldwin’s Gardens, Holborn,

“July 30th, 1876.

“MY LORD BISHOP,

“I beg to draw your attention to the fact that you have not replied to, or even acknowledged the receipt of, my last letter. As we are anxious that no more delay shall occur than is absolutely necessary, your early answer will oblige.

“I am, your Lordship’s obedient Servant.

“CHARLES POWELL, Secretary.’”

“Fulham Palace, S.W.,

“Aug. 2nd, 1875.

“SIR,

“I am sorry that other duties have made it impossible for me to reply earlier to your letter of the 26th ult.

“I readily admit the right of parishioners to have access to their Bishop in order to state any grievance

which it may be in his power to remove, or to ask any advice which they may be prepared to follow: but after considering the points which the committee propose to bring before me, and after reading the report in the *Church Times* (which I may assume to be correct) of the interview which your deputation had with the Archbishop of Canterbury, I can no longer entertain any hope that a meeting between us could have any practical use. I must add that I am unable to admit the right of parishioners or others who profess to come to the bishop for counsel, to bring with them reporters of the public press, and thus to turn a private interview into a public demonstration.

“Unless the working men of London have altered much (which I do not believe) since I knew many of them well as their pastor—now two-and-twenty years ago—they love plain speaking; and I, therefore, need not hesitate to say that you know already as well as I could tell you in the longest interview, that the only advice I could give you as your Bishop—and, let me add in my conscience, as a Christian who believes that ‘every soul is to be subject unto the Higher Power,’ and that ‘whosoever resisteth the power resisteth the ordinance of God’—is to obey the laws of our Church, either when plain in themselves, or as interpreted, when doubtful, by its duly constituted Courts. It is of course quite competent to any one who considers a Court to be badly formed, or a law to be inexpedient or

unjust, to use all the constitutional means which exist in a free country to procure the amendment of either ; but in the meanwhile, both in matters civil and ecclesiastical, his plain duty, as well as his best policy, is to obey. And before such obedience, you will observe, nearly all the grievances of which you complain will vanish. They have arisen from a perhaps not unnatural unwillingness to submit to decisions you do not like. And, therefore, it is that, however much I might sympathise with you, I could not help you. I cannot make law, nor unmake it.

“ I will only add, in reply to your one practical question, ‘ Where are we to get Holy Communion ? ’ that you have precisely the same right to have the Sacraments administered to you by your Incumbent, as have the twenty thousand other congregations of the Church of England. Your clergymen tell you rightly that dress and posture are not essential to the validity of the Sacraments ; and though you may prefer, from taste and habit, and long association with sacred things, a more ornamental ritual, you may have, without any hindrance or difficulty, the Holy Communion, celebrated with the same seemly rites which have sufficed for tens of thousands of the most saintly sons and daughters of the Church of England, who have sought and obtained in that Holy Sacrament, thus administered, the remission of their sins, the strength and refreshment of their soul’s life, and all

other benefits of the Passion of the Lord and Saviour Jesus Christ.

“I am, Sir, your faithful Servant,

“ J. LONDON.

“ Mr. Charles Powell.”

“ 27, Baldwin's Gardens, Holborn,

“ August 4th, 1875.

“ MY LORD BISHOP,

“ I am in receipt of yours of yesterday, in which you readily admit our right of access to you to state any grievance which it is in your power to advise upon, but decline to receive our deputation on the ground that you have read the report of our deputation to his Grace the Archbishop of Canterbury in the *Church Times*; and you also infer we have, by giving publicity to the proceedings on that occasion, turned a private interview into a public demonstration.

“ In reply to that part of your Lordship's letter, allow me to draw your attention to your public statement, not long since, that you could not take action upon newspaper reports. You appear to be taking action upon a newspaper report in this matter, and when you assume the report in the *Church Times* to be a correct one, are paying a very high compliment to that paper, as correct reports—at least in Church matters—have of late been at a premium.

“ With respect to turning a private interview into a

public demonstration, such is not the fact. Our proceedings from the first were public, and I fail to see how a public protest could be expected to be presented at a private interview. His Grace never asked us to consider the interview a private one until nearly the termination of the conference, and not till long after our public protest had been read and accepted as a memorial. Your Lordship has yourself forced upon us this reply to your observations, unwilling as we are to prolong this correspondence.

“If all the Archbishops and Bishops combined decline to do us justice, there is yet another tribunal to appeal to, a tribunal of justice-loving English men and women; and if working men in their simplicity have mistaken their course in appealing to their spiritual heads for justice, working men must not be blamed for exhausting every possible means of giving expression to their feelings upon this most vital question.

“The facts are very few but very simple. Granted we, as parishioners, have a grievance: we lay that grievance before the Archbishop, the chief minister in this land—we are coolly told ‘you can’t expect any help from me, you must go to the Bishop of London; St. Alban’s Church is not in my diocese.’ Acting upon that advice we apply to your Lordship; you decline to see us without first knowing our complaint. We comply with your Lordship’s wishes, and now you finally decline to see us, and base your refusal on a

newspaper report, which you assume to be correct. Truly your Lordship is not dealing honestly with us, and truly you could have told us this in your first letter.

“Your Lordship’s remarks about working men of two-and-twenty years ago, when you were a priest at St. James’, Piccadilly, loving plain speaking, call for but one remark; that is, working men still love plain speaking, but their opinions upon Church matters have changed. The working men are not, as a class, ungrateful, and when they see the only party in the Church that cares one jot for them, hounded and persecuted by those whose chief—nay, only duty is to contend for ‘the faith once delivered to the Saints,’ and to protect our religious liberty—not only calmly looking on with folded arms while the wreckers are engaged in their lawless task, but actually assisting by their sympathy and help the work of the destroyers, then it is time for the working men and the poor whose heritage is being attacked, to stand forth in the defence of those who give their lives to be spent in the Church of Christ, and for His poor, than whom the Church does not possess more faithful members.

“My Lord, it is useless to prolong this correspondence. We must accept your refusal to see us, and while regretting the decision you have come to, beg most respectfully to protest against the course your Lordship has, in the exercise of your power,

thought fit to pursue towards our committee, representing as we do, 525 *bonâ fide* parishioners.

“ With all due respect, my Lord, I am, your Lordship’s obedient servant,

“ CHARLES POWELL, SECRETARY.”

Again, we do not offer any comments upon the above correspondence, between the Bishop of London and the working men ; our readers must draw their own conclusions. Snubbed by the Archbishop ; refused an audience by their own Bishop ; they now appeal, to use the words of their Secretary, to another and a greater tribunal, “ a tribunal of justice-loving English men.” And we venture to think that they will not appeal in vain. In every town of any consequence in England these working men have their Branches, and even the outlying villages are being educated up to a better understanding of their Church privileges, by means of the pamphlets and leaflets issued by the Parent Society in London ; and we are in a position to say that wherever they go they gain the sympathies of their fellow labouring-men. Their present work is a Petition to Convocation for Religious Freedom in the Church of England. What a strange sound this has ! Can it be believed

that here, in religious England, in the nineteenth century, men should be obliged to worship God only in the manner laid down by the authority of a secular Parliament? It is nevertheless true; and Englishmen will, we are sure, agree with us, that if our Church is only to be maintained by Acts of Parliament, the sooner She is freed from such influence the better; and unless persecution gives way to a large-hearted toleration and charity, Her doom, as an Establishment, is inevitable. We shall be sorry to see the day, but come it must and will. One last fact remains to be recorded: it is the meeting of Delegates from the different Branch Committees of the Working Men. This Meeting was held in Soho, over seventy being present. Could our Bishops have but heard the utterances of those honest fellows, they would not talk of that wretched figment, the "Alienation of the Laity." Here was one man, a packer, who had come up from the busy city of Manchester; another, a carter, who had left the plough; another who issued from the depths of a coal mine; another from the potteries of Staffordshire; to see that their privileges were not wrested from them, and that fair play should be dealt alike to all parties in the Church.

And who shall deny them this, their undoubted right — both their Birthright and their Blessing ? Our working men are putting up a scaffolding around England's dear old Church, not to pull Her down, but to repair Her "waste places ;" to plug up the ugly holes that infidelity has eaten away ; to scrape off all that damp fungus that indifferentism has allowed to grow upon Her honoured walls ; and to strengthen Her Foundations with a concrete made up of the middle and lower classes of Her people ; and England's Church will not only be more firmly established in the country, but so firmly rooted in the hearts and affections of Englishmen, that all the schisms in the world can never disestablish Her.

Though with a scornful wonder
Men see Her sore opprest,
By schisms rent asunder,
By heresies distrest ;
Yet Saints their watch are keeping,
Their cry goes up, " How long ?"
And soon the night of weeping
Shall be the morn of song.

CHAPTER XI.

THE FINAL COURT OF APPEAL.

WE have so far confined ourselves to matters which may appear to be of local interest only, but we feel that the subject is important to all Churchmen; for the principle laid down by the Judicial Committee, and acted upon in the conviction of Mr. Mackonochie, must, if just towards him, be binding upon the whole Church of England; so that every Bishop or other Clergyman who fails to carry out this principle is guilty of lawlessness. Wild as this statement may appear, it is amply demonstrated by quoting Lord Hatherley's words, and then comparing them with the mode in which Divine Service is usually conducted. He says:—"In the performance of the services, rites, and ceremonies ordered by the Prayer Book, the directions contained therein must be strictly observed, no omission, and no addition, can be permitted." In another place the Court holds that it is not competent even for a Bishop to deviate in the

least degree. This dictum has (a) made several long established usages illegal ; has (b) revived and made compulsory several neglected usages ; and finally has (c) left the Clergy totally without guidance in many cases. It will be sufficient to give a few instances of each of these results.

(a) It has made the following usages illegal :—

1. The use of any metrical hymn or psalm whatsoever, except the *Veni Creator* at ordinations. The anthem permitted after the third collect is not a hymn at all.

2. The use of the surplice and scarf as robes for the celebrant and his assistants at the Holy Communion.

3. Of a scarf or stole in all other ministrations, and of the gown in preaching.

4. The practice of placing the Bread and Wine on the Lord's Table before the service begins.

5. The recitation of the words of administration to more than one person at a time.

6. The use of any prayer in the pulpit before or after the sermon.

7. The omission of the latter clauses of the Exhortation to Holy Communion, recommending private Confession and Absolution.

8. The omission of any passages in the Marriage

or any other office, except where the rubric gives discretion.

9. The administration of Confirmation by the Bishop without laying "his hand on the head of every one severally," and using the prescribed words for each person.

10. The insertion by a Bishop in the Order of Confirmation of one or more addresses or sermons, commonly called charges.

11. The refusal of Confirmation to children of competent age who have fulfilled all the requirements of the rubric, on no other ground than that of alleged insufficiency of age.

12. The omitting to urge Confession on sick persons, or to pronounce Absolution as prescribed by the rubric in the Office for the Visitation of the Sick.

13. The interpolation in the Communion Service of the Apostolical Benediction, or of any form of words, for the purpose of dismissing any part of the congregation before the close of the Communion Service.

(b.) The following neglected practices are made compulsory :—

1. The daily recitation of Morning and Evening Prayer by all priests and deacons "not being let by sickness, or other urgent cause;" and the public saying

of the same, in all parish churches and chapels, unless the curate is "reasonably hindered."

2. Weekly Communion, at the least, in all cathedral and collegiate churches and college chapels.

3. This notice:—"Then shall the Priest declare unto the people what Fast days, etc., are to be observed."

4. Holy Communion on Ascension and other days, for which a special Collect, Epistle, and Gospel are provided.

5. The exclusion from Holy Communion of all persons who have not given notice to the curate at the least some time the day before.

6. The proceedings by the Ordinary in his Court "against the offending person," who may be repelled from Communion.

7. Immersion in Baptism, unless weakness be certified.

8. Catechizing publicly in all parish churches after the second lesson in Evensong, on Sundays and Holy days.

(c). There are several cases wherein the rubric gives no help to guide the clergy, or where literal compliance involves an absurdity.

1. There is no direction how, or where, the priest is to begin Morning or Evening Prayer: whethe^r

standing, kneeling, or sitting in the chancel, stalls, desk, or body of the church.

2. There are no directions as to who is to say or sing the Psalms. The priest is not enjoined to do so, nor yet the people. If they are not to look outside the rubric, the Psalter will not be recited at all.

3. There is no rule laid down to guide the priest as to which of two sets of lessons, collects, etc., he is to employ when the Holy days, or a Sunday and Holy day, come together.

4. There is no direction where to say the Litany.

5. There is no direction how the priest is to stand for the Epistle, Gospel, Creed, Notices, Offertory sentences, and Exhortations; so far as the rubrics are a guide, he may not turn to the people.

These are merely a few of the instances which come into direct conflict with the dictum, "no omission; no addition;" we say nothing of the propriety of these omissions or additions, we simply note them for the sake of contrast with the ruling of the Court which clearly involves a strict application by the Ordinaries of the entire prescriptions of the Prayer Book *in every case*, and under all circumstances. Yet it is obvious that, on the one hand, a partial or one-sided enforcement of the principle of the Judgment

would be a grievous injustice ; and that, on the other hand, the exaction of a rigid uniformity must be productive of great vexation and mischief.

The following paragraph, and its inherent absurdity, should be also mentioned here :—

The Judgment runs :—“ In the rubric, as to the reception of the Sacramental bread and wine, the words ‘all meekly kneeling’ apply, as their Lordships think, to the celebrant, as well as to other clerks and people.”

On this Dr. Pusey observes as follows :—“ Now the rubric is, ‘Then shall the Minister first receive the Communion in both kinds himself, and then proceed to deliver the same to the Bishops, Priests, and Deacons in like manner (if any be present) ; and after that to the people also in order, into their hands, all meekly kneeling.’ Now if this clause, ‘all meekly kneeling,’ applied at all to the celebrant, it would grammatically involve the direction that he should kneel while administering to others. A direction which occurs after the mention of two acts of a person, cannot, if it applies to him at all, be limited to the first of those two acts to the exclusion of that the mention of which immediately precedes that

direction. If this (as it would) involves an absurdity, then the whole construction is faulty, and it follows that the direction can apply to neither.”—*Times*, Dec. 26th, 1868.

Probably our readers are acquainted with the Rev. Malcolm MacColl's recent work on the *Purchas Judgment*, already referred to. We regret that space forbids quoting from his masterly exposure of that Judgment, but we may refer to the opinion of the *Saturday Review* of June 26, 1875: “Mr. MacColl has now dealt it a blow which ought to be fatal if English justice and English law are to maintain their character for purity and independence. Unless his arguments can be refuted, the reversal of that gross miscarriage of justice ought to follow as a matter of course.” Or again, to the *Spectator* of June 12, “We have read Mr. MacColl's criticism on the *Purchas Judgment*, not so much from any great interest in the subject discussed, as from a sincere curiosity to understand the grounds of the exceeding indignation with which that judgment was received by the High-Church party. And this curiosity has been amply satisfied. Mr. MacColl has certainly made out what reads to us like a crushing case against the

law of the *Purchas* judgment. Of course, there may be replies to his argument of which we, who do not pretend for a moment to have studied the subject for ourselves, know nothing. But assuming that Mr. MacColl has fairly represented the grounds assigned in that judgment for its decisions, and assuming also, as we have no doubt we may assume, that he has been accurate in the citation of his authorities on the other side, we should say he has made out a triumphant case in favour of the obvious and common-place interpretation of the *Ornaments Rubric*, which authorises all the ornaments sanctioned in the first Prayer Book of *Edward VI.*, and that he has stopped up all the loopholes by which the authors of the judgment in the *Purchas* case sought to escape from that obvious and common-place interpretation." One, and only one, attempt has been made to refute Mr. MacColl's arguments; we cannot say by whom, for the writer withholds his name; but the failure of his attempt is so manifest, and his discomfiture by Mr. MacColl so complete, that kindness to him suggests that continued reticence will certainly be wise.

We have said that this subject is important to all Churchmen, and it will be seen, from the points stated

above, that the term has a very wide signification, embracing men of every shade of opinion who, if they conform to the judgment of the Judicial Committee, will have to introduce changes in the mode of performing Divine Service, very distasteful to them, if not opposed to their teaching. It is, therefore, not out of place here to inquire if there is any evidence to show that the Court for one moment considered the full effect of its decision, or, if it did so, that it anticipated compliance on all sides equally. If the full effects were not duly considered, it implies a grave censure upon the Judges, who were responsible for the decision; if it was not anticipated that the law as laid down would meet with general compliance, or, in other words, if the decision was directed against one party in the Church alone, then it must be admitted by all impartial men, that the Court of Final Appeal has seriously compromised itself, and has entirely stultified its own Judgment. We are irresistibly driven to the conclusion that the Court was guilty in both of these particulars, and have only to appeal to facts to support it. Has the Archbishop of York himself in any way brought his own acts into conformity with the rulings of the Court in this and other cases? Does he wear

the Cope in his Cathedral Church as prescribed in the ruling in the case of "*Hebbert v. Purchas*?" How many of our Bishops are there who follow the same direction, or the plain one to lay their hands on each candidate for Confirmation severally? Has not another Dignitary of the Church declared that he would rather cut off his right hand than pronounce the Absolution to a sick person, as positively enjoined in the Prayer Book? And how many of the Clergy of the Evangelical School have, in consequence of the Judgment, altered their use, so as to comply with even such plain directions as to the saying daily Morning and Evening Prayer, or the recitation of the words of administration to each individual Communicant? The answers to such questions will furnish the reader with some means of estimating the value of the Judgment. We do not point to these facts with the view of supporting it in any way; on the contrary, we believe it to be contrary to law and reason; but we do think that they show very clearly that the Court was both incompetent and unjust. But it is obvious that these decisions are of no importance to our opponents; they can afford to disregard them, while they are only too eager to enforce them upon us. To our

own party, however, they are of grave consequence, for they strike at the very root of the doctrine of the Church in this country. In this sense again they are important to all Churchmen; and we can only express a hope that they will have the effect of uniting all who love the Catholic Faith in one firm opposition to the usurpation by a purely Secular Court of the functions which belong to the Church alone. It should be remembered that the same Court still exists, though its extinction is foreshadowed by the speech from the Throne just delivered on the reopening of Parliament; and that it will presently have to decide upon the anticipated appeal of Mr. Ridsdale from the ruling of the Judge of the new Court created under the Public Worship Regulation Act. Whatever that decision may be, it cannot affect those who agree with us in believing, that the Judicial Committee of the Privy Council is incompetent to decide such questions, and has proved its incompetency by the Judgment which we have reviewed in this chapter.

CHAPTER XII.

CONCLUSION.

IF our work, which is now nearly finished, lacks literary merit, we crave the indulgence of the reader for its shortcomings. Our endeavour has been to place on record in as clear a manner as possible, a history of the more prominent events of our Parish, and we hope that before the reader reaches these lines, he will have been able to form a fair estimate of the condition of the Parish, of the work of our Clergy, and of the nature and results of the legal proceedings under which we have suffered. It will be observed that we have given decided prominence to the movement of the Working Men, and for this reason : that it is one of the crowning works of St. Alban's. Whatever work has been done by the Church at large amongst Her poorer members, and such work is neither confined to one School, nor has it been unfruitful in winning back many whom long years of neglect and apathy had estranged ; it has for

the most part appealed to their receptive faculties ; they have been content to allow themselves to be won back, and to enjoy to a greater or less extent their Church privileges. To the Parish of St. Alban's has been reserved the honour of beginning a movement among the Working Men, based, not merely upon an appreciation of their privileges, but upon a knowledge of their rights ; which proves incontestably that they have risen above the apathy too natural to their condition, and have grasped intelligently the fact that the Church is their heritage, and that Her rights and their own are closely bound up together. Had this been the only result of the first thirteen years' work in the Parish of St. Alban's, it would have been sufficient to stamp it as peculiarly successful ; no such a result has before been seen elsewhere ; nowhere has the great problem of the relation of the Church to the working classes been so satisfactorily solved. We have therefore given great prominence to this movement, because it is precisely this class for which the Church was built ; and we point to this result as a conclusive argument against the assertion frequently made, that the poor are crowded out of their Church by a more wealthy

class, said to be attracted thither by a mere love of external show.

To all who are in any way acquainted with the poorer Parishes of London or of any large town, further particulars of our own Parish are almost needless. Situated, as is the case with most poor districts, in the neighbourhood of leading thoroughfares, it needs more than a passing visit to be enabled to appreciate its true nature ; when we speak of the overcrowding, which is one of its worst features, we presume that it will convey to the mind of most people the numerous evils and vices which always accompany such a state of things ; so marked is this feature, that the authorities have selected this district as the first which, under the powers of a recent Act of Parliament, is to be pulled down and reconstructed with more regard to the health and morals of its inhabitants. The list of Parochial Agencies and the incessant demands that are made upon them, sufficiently demonstrate how they are not only desired but appreciated.

Of the Clergy who have laboured in this Parish, we have said but little, beyond recording our deep sense of their devotion to their work. Their character is as far above our criticism as it is

above that of our opponents ; but we may point to the large amount of lay work done in the Parish as a reasonable and unanswerable argument against the baseless statement made in high quarters as to the alienation of the laity from the Clergy. Everything that has been done at St. Alban's, has been done not only with the consent, but at the desire of the laity. It is obvious that the work of such a Parish as ours requires no ordinary zeal on the part of those who labour in it ; the work must be incessant and real if it is to be of any good whatever ; that it is intensely real here is proved by the fact, that the Parishioners have risen in a body to protest against the treatment to which their Parish Priest has been subjected, and the consequent denial to them of privileges to which they had become attached. They see a body of the Clergy carrying out in their own lives the principles which they teach ; living and labouring amongst the poor ; the most eloquent, because the most practical, sermon that they can preach. It would require but little effort of the imagination to picture the result of an arbitrary change in the method of the work that has been followed up to the present time. Such method, as will have been seen from the preceding pages, is

intimately associated with the idea which is popularly expressed by the term "Ritual." We are willing for the moment to concede all that is included in the popular expression of this idea: that "Ritualism" is the distinctive mark of the more advanced section of the High Church party; and that this party does rely very much upon such a method in its appeal to the poorer classes, provided only that it is regarded simply as an instrument whereby its teaching may be more readily inculcated. What then would be the result of such a change as that to which we have alluded? Here is an intelligent though poor body of people, which has not only been largely won back to the Church by the means which we have described, but which is spontaneously organizing such a movement in defence of its rights as belonging to that Church as has never been seen in modern times. Surely every thoughtful person must perceive that any arbitrary change would be disastrous in the extreme; for no method of teaching can be swept away without destroying the faith of some and seriously injuring that of all. We could mention instances, sufficiently well known, in which such an attempt has been made, and only averted by the strenuous opposition of those

concerned; others in which the attempt has been successful, and the evils which we have mentioned have been most marked. And having such instances before us, we deprecate most strongly any interference with the accustomed work of our Parish. In support of our position we can appeal to uninterrupted use; for, as has been pointed out in a former chapter, the principle and the details of Ritual have always been carried out in our Church; and although it can be readily shown that it is against the principles and contrary to the practice of the High Church Clergy to force "Ritual" upon unwilling congregations, we have only space here to point out that in our case no question of this nature arises; we have not only been always accustomed to these much-disputed forms of Ritual, but have urged upon our Clergy the more ornate developments that they have assumed. Our appeal, however, is not for Ritual; it is rather for those who by means of Ritual have been taught something of the beauty and benefit of the Christian Religion. Before leaving the consideration of this part of our subject, we cannot forbear to mention other features in the work carried on here. Although notoriety was from the first deprecated

by the Clergy, who expressed a hope that they might labour quietly and unostentatiously among the poor Parishioners ; yet, whether from the position of the Church, the circumstances of its foundation, or from whatever cause it may have been, St. Alban's from the outset attracted a great deal of adverse criticism. Much of this has arisen from those who were in no way entitled to interfere in the Parish ; and if some allowance may be made for Mr. Hubbard's endeavour to check that perfect liberty of action which was the sole condition upon which Mr. Mackonochie accepted the incumbency at his hands, none whatever can be made for others, who seem to have selected this Parish and its Clergy for the exercise of the most unchristian and bigoted persecution. Had their zeal been directed to the exposing of some gross neglect or immorality, we should be the first to admit that they had public grounds for their interference ; but neither these nor any other public motives can be claimed by them ; their proceedings are prompted by personal motives, of which it is difficult to speak charitably ; for it is inconceivable that any one, having before his eyes the very patent fact of the good which has resulted in the

Parish since the foundation of the Church, could act as our opponents have acted, and claim for his actions a Christian motive. More directly connected with the Parish, from their official position, are the present and the late Bishops of London; and it may reasonably be asked, How have they acted towards us? In the first place, they have never publicly recognised even the existence of our Church since the official act of consecration; in all this time of difficulty, when a personal visit from our Bishop would have been gladly welcomed by us, who have the greatest reverence for the Episcopal Order, and who belong to the only section of Churchmen who believe implicitly in all that it connotes; when a few words, lovingly spoken, would at any moment have put a stop to the disastrous and costly legal proceedings, which have satisfied no one, our opponents least of all; they have held aloof, and have, it must be said, neglected one of their plainest duties. But it must not be supposed that, in neglecting us, they have abstained from interference; on the contrary, they have given every facility for the promotion of these detestable lawsuits; while, as will have been seen in a former chapter, the present Bishop, while leaving the

conduct of the Church during Mr. Mackonochie's second suspension to the senior assistant Priest, Mr. Stanton, and thereby saving himself from the trouble of otherwise providing for the spiritual wants of the parishioners, actually endeavoured to force him and his brother Clergy to adopt such a line of conduct as they knew to be utterly opposed to the express wishes of their Vicar, and thus to place themselves in direct antagonism with him. We cannot believe that our Bishops are actuated by unworthy motives, but it is obvious that such conduct on their part is open to such a construction; being not only weak and ineffective, but, in some instances, apparently transgressing the bounds of justice and courtesy. The root of this evil, however, lies deeper; and though it is no part of our province to enter upon a discussion of the general question, we cannot allow this opportunity to pass without recording our longing desire for the development in the Episcopate of some sentiment corresponding to the enormous revival of Church feeling and principles in every other part of the Church. If, for instance, one member of the Bench had resolutely stood out against the Public Worship Regulation Bill of the Primate, the Statute

Book might never have been degraded by an Act, the avowed intention of which is to facilitate the prosecutions of self-denying and hard-working Clergy, guilty only of a desire for more beauty and reverence in Divine Service; or, indeed, if one could act and live as the Bishop of a Diocese instead of distracting himself with the cares and attractions of the secular Estate, his action would mark an epoch in the history of our Church, and give such an impetus to Her renewed vigour, as would enable Her to be indifferent to any existing or impending evils. But so long as Bishops are chosen in accordance with the *cong   d'  lire* of the Crown; while the impious farce of prayer for the guidance of God the Holy Ghost in their selection is at the same time enacted; and so long as their Episcopal Office is merged in their position as Peers of the Realm, and often apparently obliterated by it; so long will the action of the Church of this country be crippled and injured.

St. Alban's has, however, attracted another class of persons, in common with other churches, where full Catholic teaching and Ritual are employed. Many of us have been so attracted; and to each of us has come the conviction, that everything which is done or

taught in our Church is in strict and literal accordance with the practice and teaching of the Church of England. We have amongst us men of every profession and calling ; all of us have arrived at an age when men are supposed to be capable of forming accurate opinions ; many have already passed through the greater part of a practical life. From the very nature of the religious questions and difficulties of the day, we have for the most part approached this question with all the prejudices of earlier years ; and as these prejudices have been overcome one by one, the occasion for each has been examined minutely and carefully ; so that it cannot be said that the opinions which we hold now have been embraced hastily or without due consideration. We therefore claim the right to speak for ourselves, and for the vast and increasing number of Churchmen who think and believe as we do. Indeed, not only would our present work be incomplete, if we did not exercise our right, but we hope that an honest expression of our opinions may aid in the dissipation of the prejudices of others, which is the chief object of this book. Firstly then, we do not desire to extend our operations beyond the bounds of our own Parish ; we would be the first to

raise our voice against any arbitrary action on the part of a Clergyman, whereby his Parishioners would be aggrieved; we fully recognize that other schools of thought within the Church have an equal right of existence with ourselves, and that they appeal to men of various shades of opinion, who, but for their existence, would probably be lost to the Church altogether. We are not a secret Society, as some would seem to believe; and we are opposed to any foreign Communion, not only on questions of doctrine, but also on the far more reasonable ground of an intelligent appreciation of the true Mission of the Church of England as the only Communion which has any claim over the consciences of English Churchmen, or any right to exercise such claim in this country. And, secondly, we are thoroughly loyal to our National Church and Her Book of Common Prayer, claiming only the right of religious liberty in the interpretation of its formularies according to their plain grammatical meaning, and the right to use such a form of worship as is clearly allowed, if indeed it is not strictly enjoined.

We have endeavoured so far to give a sketch of our Church and Parish, of our Clergy and their work, and

of the influence of that work ; we now proceed to notice the various and continued prosecutions of Mr. Mackonochie. The previous chapters have been devoted to little more than a bare outline of these legal proceedings, which it is now our desire to examine and criticise.

At the risk of repeating ourselves, we must again notice the fact that the nominal promoter of these lawsuits, Mr. John Martin, is not a parishioner, nor even a member of the Congregation of St. Alban's. The injustice, and, as we believe, the illegality of allowing such a person to prosecute, only requires to be pointed out to be appreciated. The original promoter was a parishioner ; but on his death it was found that no other would take up the case, so that the Church Association and the Bishop had to seek elsewhere for a tool to do their unchristian work. The remarks of the Judge of the Court of Arches indicate what he thought as to the propriety of such a step, the injustice of which must be patent to every one ; and we only mention it again here to show the spirit in which these prosecutions have been conducted. The aid of the Law having been thus invoked, the learned Judge of the Court of Arches

pronounced on most points in favour of Mr. Mackonochie. We regretted the discontinuance of the use of incense ; but as such discontinuance had been voluntarily effected by Mr. Mackonochie before the case came before the Court, we were content. The principle of Elevation, Kneeling, and the Mixed Chalice, and the use of the Lighted Candles, were conceded ; and no one can read the Judgment which was delivered, without feeling that it was pronounced by a Judge thoroughly conversant with the questions involved. It is to be noted, too, that the Judgment did not declare the disputed usages to be compulsory, Sir Robert Phillimore having fully recognised the great diversities of use that have prevailed ever since the Reformation ; so that the result of the Judgment was only to admit the legality of the practices at St. Alban's. This was, however, more than the Protestant zeal of non-parishioners could accept ; they appealed to the Privy Council, and then, throwing off the mask of a pretended desire to have points of general interest settled, they displayed the unscrupulousness of their efforts to deal a crushing blow at St. Alban's by any means that were practicable. In the Judicial Com-

mittee of the Privy Council, they found a Court quite to their mind. Presided over by a Presbyterian Chancellor, who was ably supported by the Archbishop of York and the late Lord Westbury, how could they doubt of success? Nor can we grudge them a triumph obtained by such means. The theological bias of the Councillors is perhaps the most strongly marked feature of the case. What did it matter if dates were falsified, and statements contrary to fact and to common sense made? Was not Lord Cairns bound to decide in conformity with his Calvinistic views; and had not the Archbishop of York previously declared his intention of “ stamping out Ritualism ”? We contend that this theological bias is the only true explanation of the Judgment; for we have before shown, that, except for falsification and misinterpretation, it could never have been delivered. Of the conduct of the Archbishop of York, it is impossible to speak too strongly; he has never been able to deny a charge publicly made in the columns of the *Times*, of the falsification of dates before referred to; and we are sure that it would be impossible to find an instance in which any Judge on the Bench would adjudicate upon a matter in which

he was personally interested, or allow any personal bias to obscure the true interpretation of the Law.

Of the competence of the Judicial Committee generally to decide Ecclesiastical questions, so much has been ably said elsewhere, that it would be useless to enter more fully upon the question here. We allude more particularly to Mr. Malcolm MacColl's book* which finally disposes of the case. We may, however, point to two facts in further illustration of this point. The first is, that the Judicial Committee reversed the decision of the first Ecclesiastical lawyer of the day; a Judge who demonstrated by his exhaustive Judgment, that he had mastered the intricacies of the subject, and who by his Judgment confirmed the view of nine other eminent Lawyers, whose opinion had been previously taken. The second is a parallel case, illustrating the evil of having cases referred to a Court, the members of which are not versed in the Law which they are called upon to administer. The case to which we refer, is that of Appeals from India, requiring an accurate knowledge of Hindoo Law and Sanscrit. In a paper published by Professor Gold-

* *Lawlessness, Sacerdotalism, and Ritualism.*—Rev. Malcolm MacColl.

stückler,* it is stated, that contrarient, untrustworthy, and imperfect translations of Hindoo Law books are used by our Judges, who know no Sanscrit; that important errors have been discovered even in Colebrook, the great authority on the subject; and lastly, that the ultimate Court of Appeal, "*that pellucid fountain-head, which is called the Judicial Committee of the Privy Council, has shown how thoroughly incapable English Judges are to administer Hindoo Law, by giving a false decision; laying down a perfectly novel proposition, which, if adopted, would alter the basis of the whole Hindoo Law.*" We believe that we are fully justified in saying that the series of contrarient decisions, non-natural interpretations, and novel (not to say impossible) propositions in Ecclesiastical matters, which proceed from the same Court, prove incontestably that its members know as much of Ecclesiastical as they do of Hindoo Law.

We may here refer the reader to the Appendix to this book, where he will find a concise tabular statement bearing upon this question.

* "On the Shortcomings of the Present Administration of Hindoo Law."—*Journal of the East India Association.*

The unscrupulous nature of these prosecutions is still further exemplified by the subsequent proceedings. Mr. Mackonochie had strictly and literally obeyed the Judgment, and had suffered the penalty of having to pay all the costs, contrary to all legal precedent, the case being one of first impression, and the other parties being the Appellants. But the animosity which had actuated the Promoters was even then in no way appeased; they had still a weapon, un-English as well as un-Christian, in their armoury, and they did not scruple to use it. This weapon was that of paid spies and informers; who, not content with profaning the House of God by making it the scene of their unholy work, forswore themselves by the testimony which resulted in Mr. Mackonochie's suspension. A specimen of the Bill of Costs for these informers will be found at the end of the book, and we refer the reader to a former chapter to enable him to form a correct estimate of the character of their testimony.

We must direct the attention of the reader more particularly to some features in the second of these two last Judgments of the Judicial Committee, the first having been already criticised in Chapter III.

It was delivered by Lord Chelmsford towards the end of the year 1870. Beyond the fact that the conviction on one of the charges was obtained on the evidence of the same informers whose testimony as to the other charge was disbelieved, and that it was arrived at against the sworn evidence of Mr. Mackonochie himself, supported by eight other witnesses, and his published announcement (which was before the Court, having been filed with the affidavits), that he had altered his mode of performing Divine Service so as to bring it into accordance with the ruling of the Judicial Committee in its recent Judgment ; the Court allowed to be imported into the case a feature which materially altered one of the charges, it being impossible to convict upon them “ as pleaded in the Articles.” We refer more particularly to that of sanctioning “ kneeling or prostration,” as to which practice Lord Hatherley had recently declared “ of course it is not competent for their Lordships to proceed beyond the actual Monition. . . . literal compliance with regard to the actual limits of the order is, of course, all that Mr. Mackonochie is held to in law.” That there had been this literal compliance with the Monition is proved by the declaration of the present Court: “That

Mr. Mackonochie's intention to bow without bending the knee during the Consecration was carried into effect." How then was an adverse decision arrived at? It was by the simple expedient of altering the charge "as pleaded in the Articles," and punishing him for "bowing in reverence and adoration." We believe that the Court in doing this distinctly went beyond its powers, as laid down by Lord Hatherley in the quotation we have given above; but in addition to this, its Judgment is contrary to the plain meaning of English words, in calling that a prostration which was in fact the bow or forward inclination of a Priest standing close to the Altar in the act of Consecration.

But the true explanation of the Judgment is found in the words of Lord Chelmsford. He says:—"The posture assumed and maintained by Mr. Mackonochie is certainly not a mere bow, but a humble prostration of the body in reverence and adoration." It was by this "reverence and adoration" that he had offended; a "mere bow" might have been allowed, but their Lordships could not admit the legality of its intention. We believe on this ground again that the conviction was an improper one; for the nature of the prosecution being a criminal one, it was clearly unjust to import

any consideration into the case beyond the bare facts as pleaded ; and further, its effect was to reverse a decision of the Court of Arches, from which there had been no appeal, and by which Dr. Lushington had rejected the charge of “ adoration,” sought to be introduced by Mr. Martin into one of the original articles, on the ground that he could not admit motive or intention, but only specific acts. We have directed more particular notice to this Judgment because it again discloses the unmistakable fact that these decisions of the Judicial Committee are dictated by the personal bias of the Judges. We can in some measure understand the action of the Archbishop of York, because he came into Court with the pre-determination to “ stamp out Ritualism ” at whatever cost, and he consistently carried out this determination ; but that the Lord Chancellor should have concurred in the decision which we have been examining, can only be explained on the hypothesis that his judgment was warped by his religious bias ; unless he dissented from the ruling of the Court ; a fact which we cannot discover, because the Judges do not deliver their Judgments separately as they do in other Courts.

The repeated charges of disobedience to the first Monition, made against Mr. Mackonochie, compel us to assert again emphatically that he yielded strict and literal obedience to the Judgment of the Court, although that Judgment was so contrary to historical and legal facts. To those even whose prejudice induces them to believe the testimony of paid informers rather than that of men of the highest integrity and honour; the fact that the Court could not convict on the charges contained in the Articles, but was obliged, as we have shown, to import a distinctly new charge into them in order to give a semblance of justice to its decision, must carry the conviction of the truth of our assertion. In this compliance on the part of Mr. Mackonochie with a decision, which was not only repugnant to his own feelings and those of his congregation, but which also imposed heavy penalties upon him, our opponents might have been expected to have seen a desire for peace, even at the cost of some self-sacrifice. But their unscrupulous conduct, as displayed in the subsequent proceedings, and the charges of disobedience with which they have sought to prejudice the public mind, show clearly the animosity by which they were

actuated, and oblige us in the interests of truth to make this statement.

We have now to direct attention to the last prosecution in the Court of Arches. This opened up entirely new ground, so far as Mr. Mackonochie was concerned, and the details will be comparatively fresh in the recollection of the reader. The principle feature in the case was that the Court accepted, and allowed itself to be governed by, the Judgment of the Judicial Committee of the Privy Council in the case of "*Hibbert v. Purchas*," which had recently been given ; and would not allow the points decided in that case to be re-argued. It will have been seen that in a largely signed Protest, a copy of which was transmitted to the Archbishop of Canterbury, we expressed a strong opinion as to the course thus pursued by the Dean of Arches acting as his Official Principal. To that opinion we still adhere ; and we may call special attention to the arguments which we used to support it in our second letter to the Archbishop (Chapter VII). We think that the course pursued by the Court was not only unjust to Mr. Mackonochie, but also that it was impolitic, because it prevented the statement of the very arguments that should have

been before the Judicial Committee, to enable it to arrive at a just conclusion in the case of Mr. Purchas, and which were not heard by it on account of his not having pleaded. It would be beyond the limits of our space to enter upon a discussion of this Judgment of the Privy Council in the case of "*Hibbert v. Purchas.*" The subject has been treated of most ably and exhaustively elsewhere; nowhere more so than in the publication of Mr Malcolm MacColl before referred to; while we have endeavoured to add our own testimony against it in the Appendix to this work. It is this Judgment which has virtually condemned Mr. Mackonochie to a second suspension for carrying out what the Court of Arches had previously declared to be lawful. We entirely approve of Mr. Mackonochie's determination not to appeal again to the Privy Council, as set forth in his letter to the Primate in Chapter VI. That Court was never recognized by us as a proper Ecclesiastical tribunal; and we have the authority of the late Lord Brougham for saying, that there had never been any expectation of Ecclesiastical questions being brought before the Judicial Committee, which had been created for the consideration of a totally different class of cases; and he added, that "he had no

doubt but that if it had been constituted with a view to such cases as the present (the Gorham case) some other arrangement would have been made." This statement of Lord Brougham, and one to a similar effect by Bishop Blomfield, have already been quoted on page 32.

That the Judicial Committee has completely stultified itself by its contradictory decisions, and by its distortion of historical facts, is becoming clearer every day to an increasing number of people of all shades of opinion. Whether the new Court, so cunningly devised by the Primate, will help to solve any of the existing difficulties, or by whatever tribunal they may eventually be settled—for it will be observed that in the case now before the new Judge, who is administering the law under the Public Worship Regulation Act, no arguments have been heard on the points embraced in the "Purchas Judgment"—we are at least certain that the principles of Catholic Worship will be ultimately admitted. The movement of "Ritualism," has made possible, everywhere, practices, which were but a few years since considered "Popish;" clearly demonstrating that such an impetus has been given to the restoration of that

seemly and devout worship which had so long been neglected, as cannot now be deprived of its force. The Lower House of Convocation, too, has spoken in no undecided tone on the subject of the much-disputed points of Ritual. But we have no desire to interfere with those who attach so much importance to this or that form. The black gown and mean Communion Table of the Low Churchman, so fast disappearing, were, we venture to say, of much more importance to him than the use of vestments, lights, and incense to us; the importance of these and other things in themselves is nothing; and has only been called forth by the opposition of those who have not yet learnt the golden rule, "Whatsoever ye would that men should do unto you, even so do unto them; for this is the *Law*;" to us they are but the natural expression of our belief in the teaching of our Church, and of our loving adoration of Him Who is her Head.

With this summary of our work, we commend it to the attention of the English people. Our endeavour has been to lay before the reader a concise and accurate statement of facts, and we are content to

leave the consideration of them in his hands. If this book should prove to be the means of removing misconceptions and of lessening prejudices, we shall be amply rewarded; our sole aim being to claim for ourselves liberty of conscience, and liberty to express our belief by such practices as can be clearly shown to be legal within the Church of England; while we fully recognize the right of others to such varied beliefs and practices as it has been Her wisdom to allow.

“What! battle for a vestment?”

The purblind worldlings sneer,

“Can garb become a symbol?

Can *men* hold dresses dear?

Come, sell your paltry dresses,

And thus enrich the poor.”

Ha! Judas, dost thou mutter?

We heard that growl of yore.

Ask, then, old England's heroes,

Who died around her flag,

Protecting—what? a symbol?

Or a pole and tattered rag?

“O fools, to shed your life-blood

For a parti-coloured *thing*!”

“Peace, babbler, 'tis the symbol

Of our country and our King.”

So *we* battle for the vestment
That tells our King is nigh :
If a symbol Truth expresses
For a symbol men will die.

J. W. HORSLEY.

Church Times, Oct. 23, 1874.

APPENDIX.

SOME
CONTRADICTIONS, MISINTERPRETATIONS,
AND MIS-STATEMENTS
OF THE
JUDICIAL COMMITTEE OF PRIVY COUNCIL.

[WE have noticed some of the results of the Judicial Committee's Judgments in the previous pages, but we think the following Tables, compiled by a Member of our Committee, will interest our readers, as they present the subject in a concise form, and almost at one glance exhibit a number of inconsistencies.]

TABLE I.

VESTMENTS.

RUBRICS OF THE FIRST PRAYER BOOK OF KING EDWARD SIXTH, 1549.

NOTE.—*Edward VI. began to reign on 28th January, 1547. The First Prayer Book came into use in 1549 ; i.e., the 3rd of Edward VI.*

RUBRIC.

“In the saying or singing of Mattens, or Evensong, Baptizing, or Burying, the Minister in Parish Churches, and Chapels annexed to the same, shall use a SURPLICE ; and in all Cathedral Churches and Colleges ; Archdeacons, Deans, Provosts, Masters ; Prebendaries, and fellows being Graduates, may use in the Choir, besides their SURPLICES, such HOODS as pertain to their several degrees, which they have holden in any University within this Realm, but in all other places every Minister shall be at liberty to use any surplice or no ; And whenever the Bishop shall celebrate the Holy Communion in the Church ; or exercise any other public ministration, he shall have upon him, besides his ROCHETTE, a SURPLICE, or ALBE and COPE, or VESTMENT, and also his PASTORAL STAFF in his hands, or else borne or holden by his Chaplain.”

RUBRIC BEFORE THE “ HOLY COMMUNION, COMMONLY CALLED THE MASS.”

“Upon the day and at the time appointed for the Ministration of the Holy Communion ; the Priest that shall execute the holy ministry shall put upon him the vesture APPOINTED for that ministration ; that is to say a WHITE ALBE, plain with a VESTMENT or COPE ; and where there be many Priests or Deacons, there so many shall be ready to help the Priest in his Ministration as shall be requisite ; And shall have upon them the Vestures appointed for their ministry, that is to say ALBES with TUNICLES.”

RUBRIC OF THE SECOND PRAYER BOOK OF KING EDWARD
SIXTH, 1552. THE FIFTH YEAR OF HIS REIGN.

“And here it is to be noted that the Minister, at the time of the Communion, and at all other times in his Ministrations; shall use neither Albe, Vestment, or Cope; but being Archbishop or Bishop, he shall have and wear a Rochette; and being a Priest or Deacon, he shall have and wear a Surplice only.”

RUBRIC OF THE PRAYER BOOK OF QUEEN ELIZABETH, 1559.

“And here it is to be noted that the Minister at the time of the Communion and at all other times in his ministrations shall use such ornaments in the Church as were in use, by the authority of Parliament in the second year of the reign of King Edward Sixth, according to the* Act of Parliament set in the beginning of this Book.”

RUBRIC OF PRAYER BOOK OF JAMES FIRST, 1604.

(Same as that of Queen Elizabeth's Prayer Book.)

EXTRACTS FROM THE CANONS OF 1603-4.

Canon 24.—“In Cathedral and Collegiate Churches, the Holy Communion shall be administered upon principal feast days . . . the principal Minister using a decent cope, and being assisted with the Gospeller and Epistler agreeably.”

Canon 25.—“In the time of Divine service or Prayers in all Cathedral and Collegiate Churches when there is no Communion, it shall be sufficient to wear surplices.”

Canon 58.—“Every Minister saying the Public Prayers or ministering the Sacraments, or other Rites of the Church shall wear a decent surplice with sleeves to be provided at the charge of the Parish.”

RUBRIC OF PRESENT PRAYER BOOK, 1662.

“And here it is to be noted that such Ornaments of the Church and of the Ministers thereof, at all times of their ministration,* shall be retained and be in use as were in this Church of England by the authority of Parliament in the second year of the reign of King Edward the Sixth.” . . .

* “That such Ornaments of the Church and of the ministers thereof shall be retained, and be in use, as was in this Church of England by the Authority of Parliament in the second year of the reign of King Edward the Sixth.”—*Extract from Act of Uniformity annexed to Prayer Book of Queen Elizabeth, 1559, and to the Sealed Copy of 1662.*

EXTRACTS FROM THE JUDGMENTS OF THE JUDICIAL
COMMITTEE OF PRIVY COUNCIL.

WESTERTON JUDGMENT.

"The rubric of the Prayer Book of January the 1st, 1604, adopts the language of the rubric of Elizabeth. The rubric to the present book adopts the language of the statute of Elizabeth; but they all obviously mean the same thing—that the same dresses, utensils, or articles used under the First Prayer Book of Edward VI. may still be used."

N.B.—Dresses used under the First Prayer Book.—Vestment (or chasuble), cope, alb, tunicle, &c. (see rubric 1549).

PURCHAS JUDGMENT.

"The Act of 1662 sanctioned a Prayer Book with a different rubric, but it referred back to the Second of Edward VI., and in some sense or other revived the rubric of King Edward's First Book." . . . "Their lordships will advise her Majesty that the defendant, Mr. Purchas, has offended against the laws ecclesiastical in wearing the Chasuble, Alb, and Tunicle."

Query.—As, according to above, the rubric of 1662 abolished alb, chasuble, and tunicle, in *what* sense was the rubric of King Edward's First Book revived?

Further, we have in "The Form of Ordaining, or Consecrating an Archbishop or Bishop" (present Prayer Book, 1662), the following:—"After the Gospel, and the Nicene Creed, and the Sermon are ended, the Elected Bishop (vested with his Rochet), shall be presented, &c." "Then shall the Bishop Elect put on the rest of the Episcopal habit, and," &c.

Query.—The Rest of the Episcopal habit.—What is it? It is not described by the canons of 1604; nor by the Prayer Book of 1552; therefore, it must be the same as was in use in the second year of King Edward the Sixth.

NOTES.

The Westerton case was heard before six Judges and two Ecclesiastical Assessors.

The Purchas Case was heard before two Judges, Lords Hatherley and Chelmsford, and two Ecclesiastical Assessors, the Archbishop of York (Thomson), and the Bishop of London (Jackson).—This Cause was not defended.

Sir Robert Phillimore and Sir J. T. Coleridge, both members of the Judicial Committee of Privy Council, decide *in favour* of vestments and eastward position.

Lords Hatherley and Chelmsford, also members of the Judicial Committee, decide *against* vestments and Eastward Position.

The present Bishop of Lincoln (Wordsworth), the late Bishop of Vermont (Hopkins), and the late Bishop of Exeter (Phillpotts), have given their opinions in *favour* of vestments, as against the Archbishop of York (Thomson), and Bishop of London (Jackson).

LEGAL OPINIONS.

IN FAVOUR OF VESTMENTS.

1. Sir R. Phillimore.
2. Sir F. Kelly.
3. Sir W. Bovill.
4. Lord Justice James.
5. Lord Coleridge.
6. C. G. Prideaux, Q.C.
7. Justice Hannen.
8. J. Cutler.
9. Dr. Deane.
10. Lord Chelmsford (when Sir F. Thesiger).

AGAINST VESTMENTS.

The following gave their opinion in an *ex parte* or undefended case.

1. Lord Chancellor Cairns.
2. Lord Hatherley.
3. Lord Selborne.
4. Justice Mellish.
5. Francis Barrow.
6. Lord Chelmsford (when *not* Sir F. Thesiger).

Their Lordships “do not disguise from themselves that the task is difficult” (*i.e.*, to interpret the *Ornaments Rubric*). “We direct that he (*Mr. Purchas*) shall pay the costs.” (See *Purchas Judgment*.)

In *Hebbert v. Purchas* the Court ruled that, in cathedral and collegiate churches, the principal minister should on high festivals wear a Cope during the celebration of Holy Communion. The Archbishop of Canterbury and the Archbishop of York have never yet complied with that decision, and most of the Bishops have followed the example of the Archbishops. It would therefore appear that the Archbishops and Bishops do not regard the *Purchas Judgment* as sound law, or else it must be inferred that while calling upon their clergy to obey the *Judgment*, they consider themselves at liberty to ignore it.

TABLE II.

ALTAR LIGHTS.

"Such ornaments of the Church . . . shall be retained and be in use as were in this Church of England by the Authority of Parliament in the second year of the reign of King Edward Sixth." (Ornaments Rubric, 1662.)

INJUNCTIONS OF KING EDWARD SIXTH, 1547.

"Ecclesiastical persons having cure of souls shall suffer from henceforth no torches, nor candles, tapers, or images of wax to be set afore any image or picture, but only two Lights upon the High Altar before the Sacrament, which for the signification that Christ is the very true Light of the world they shall suffer to remain still."

EXTRACTS FROM THE JUDGMENTS OF THE JUDICIAL COMMITTEE OF PRIVY COUNCIL.

LIDDELL v. WESTERTON.

"It shows that the High Altar was to remain as it had been before with lights upon it before the Sacrament. . . . The section could not mean that all candlesticks should be removed from the churches, for two were to be retained on the High Altar. . . . That this is the true meaning of the Injunctions is further shown by the Articles of Visitation, in which inquiry was to be made whether they had been obeyed."

MARTIN v. MACKONCHIE.

"The lighted candles are clearly not ornaments within the words of the rubric, for they are not prescribed by any authority therein mentioned, *viz.*, the First Prayer Book; nor is the Injunction of 1547 the authority of Parliament, within the meaning of the rubric."

Note.—The Injunctions were recognized as being in force by the Prayer Book of 1549, as the following rubric from that Book will prove. "Upon Wednesdays and Fridays the English Litany shall be said or sung after such form as is appointed by the King's Majesty's Injunctions."

Bishop Cosin in his Notes, states that among the ornaments of the Church in use in the second year of Edward VI., there were two lights appointed by his Majesty's Injunctions. In another series of Notes "it was required that Two Lights only should be placed upon the Altar."

TABLE III.

THE EASTWARD POSITION.

RUBRIC.

"When the Priest, standing before the Table, hath so ordered the Bread and Wine, that he may with the more readiness and decency break the Bread before the people and take the Cup into his hands, he shall say the Prayer of Consecration ; as followeth."

EXTRACTS FROM THE JUDGMENTS OF THE JUDICIAL COMMITTEE OF PRIVY COUNCIL.

MARTIN *v.* MACKONCHIE.

"Their Lordships entertain no doubt on the construction of this rubric, that the priest is intended to continue in one posture during the prayer, and not change from standing to kneeling, or *vice versâ*. They think that the words 'standing before the Table' apply to the whole sentence."

Note.—"Standing before the Table applies to the whole sentence."

Therefore "when the Priest, *standing before the Table*, hath so ordered the Bread and Wine," etc., "he (*standing before the Table*) shall say the Prayer of Consecration."

HEBBERT *v.* PURCHAS.

"The words (*standing before the Table*) are intended to set the minister free for the moment from the general direction to stand at the north side for the purpose of ordering the Elements. They think that the main object of this part of the rubric is the ordering the Elements. They think that the Prayer of Consecration is to be used at the north side of the Table, so that the minister looks south, whether a broader or a narrower side of the Table be towards the north."

Note.—According to the above the rubric should run as follows :—
"When the Priest, *standing before the Table*, hath so ordered the Bread and Wine, etc. (by moving them to the north end), he shall say the Prayer of Consecration."

Query.—If the north end is the proper position for the performance of every part of the Communion Office, why are the Elements not placed in that position in the first instance ?

N.B.—In *Hebbert v. Purchas* the Court cites cases occurring in 1560-1627, and 1636, as authorities explaining the rubric (*standing before the Table*) which did not exist till 1662.

TABLE IV.

WAFER BREAD.

RUBRIC OF FIRST PRAYER BOOK OF EDWARD SIXTH, 1549.

“For avoiding of all matters and occasions of dissension, it is meet that the bread prepared for the Communion be made, through all this realm, after one sort and fashion : that is to say, unleavened, and round, as it was afore, without any manner of print and something more larger and thicker than it was, so that it may be aptly divided into divers pieces.”

RUBRIC OF PRESENT PRAYER BOOK, 1662.

“And to take away all occasion of dissension, and superstition, which any Person hath or might have concerning the Bread and Wine, it shall suffice that the Bread be such as is usual to be eaten ; but the best and purest wheat Bread that conveniently may be gotten.”

EXTRACT FROM THE PURCHAS
JUDGMENT.

“Their Lordships are inclined to think . . . that the rubric contains a positive direction to employ at the Holy Communion the usual bread . . . The words of the 20th Canon point the same way. The Churchwardens are bound to supply ‘wheaten bread.’ . . . If wafer bread is equally permitted, it is hard to see why the parish is to supply wheaten bread, in cases where wafers are to be supplied by the minister or from some other source.”

CANON XX. 1603-4.

“The Churchwardens of every parish, against the time of every Communion shall, at the charge of the parish, with the advice and direction of the Minister, provide a sufficient quantity of fine white bread.”

Note.—“White bread” not “wheaten bread” as mentioned in the Judgment, and that only “WITH THE ADVICE AND DIRECTION OF THE MINISTER.” Also “The Bread . . . shall be provided by the CURATE and Churchwardens . . . (*Present Rubric.*)

REMARK.

"IT SHALL SUFFICE" is interpreted by the Judicial Committee, "MUST BE."

RUBRICS 1662.

COMMUNION SERVICE.

"And to take away all occasions of dissension or superstition which any person hath or might have concerning the Bread and Wine."

"IT SHALL SUFFICE that the Bread be such as is usual to be eaten."

—
The rubric permits the use of leavened bread, and is but a relaxation of the order in the First Prayer Book. "It is meet that the bread be made after one fashion; unleavened." —i.e., Wafer Bread "is meet" but to take away all occasion of dissension . . . "it shall suffice" to use the usual bread.

OFFICE FOR PUBLIC BAPTISM.

"And then naming it after them (if they shall certify him that the child may well endure it) he shall dip it in the water." . . . "But if they certify that the child is weak—

"IT SHALL SUFFICE to pour water upon it."

—
The prescribed rule is to dip the child in the water, but if too weak to endure it, it will be sufficient (it shall suffice) to pour water upon it.

Bishop Cosin (an authority quoted by the Judicial Committee, see Table V.) observes upon our present Rubric: "It is not here commanded that no unleavened or Wafer Bread be used; but is only said that the other Bread *may suffice*."

TABLE V.

THE MIXED CHALICE, Etc.

STATEMENTS MADE BY THE JUDICIAL COMMITTEE.

"Neither the Eastern nor Western Church, so far as the Committee are aware, has any custom of mixing the water with the wine apart from and before the Service."

"The practice has not prevailed at all."—*See Judgment, Hebbert v. Purchas.*"

"The Prayer for the Consecration of the Elements was omitted in the Second Prayer Book; though in the present Prayer Book it is restored."—*See Judgment Liddell v. Westerton.*

"Their Lordships think that the words of Archdeacon, afterwards Bishop, Cosin in A.D. 1687 express the state of the law—'Doth he, the minister, stand at the north side of the Table and perform all things there, but when he hath special cause to remove from it, as in reading and preaching the Gospel,' etc."—*See Judgment Hebbert v. Purchas.*

FACTS.

The custom of mixing the water with the wine apart from and before the Service prevails to this day in the Eastern Church. (See the Office of Prothesis.) Under the old Sarum use it was the custom of cathedral and parish churches in this land, and under the different national uses in France, Germany, Italy, and Spain, and also according to the Dominican Rite, etc.

The Prayer for the Consecration of the Elements *was not* "omitted in the Second Prayer Book" of Edward the Sixth.—*See Prayer Book itself.*

Bishop Cosin was not alive in 1687.

The Archbishop of York (one of the Judges in the Purchas case) publicly stated in the *Times* that the date 1687 was a misprint in unauthorized editions of the Judgment for 1627.—In that case Cosin's words refer to the Prayer Book of 1604, and that did not contain the rubric in question, which appeared for the first time in the Prayer Book of 1662.

However, the authorized copies of the Judgment have the date of Cosin's words as 1687. Anyhow, according to the Purchas Judgment, Cosin interpreted a rubric several years after his death; or thirty-five years before the rubric was written.

REMARKS.

In *Martin v. Mackonochie* the Judicial Committee ruled that omission was prohibition. If such is the case, why was it necessary to insert the following rubric in the First Prayer Book of King Edward VI. against elevation of the Host—"These words . . . are to be said, turning still to the Altar, without any elevation or showing the Sacrament to the people."

If Omission meant Prohibition, it was illegal from 1552 to 1662 for the Priest to take the bread and cup into his hands or break the bread.

It was illegal to place the Elements of Bread and Wine upon the Altar *at all* from 1552 to 1662, as the rubric ordering the "priest to place upon the Table so much bread and wine as he shall think sufficient" was not inserted until the Prayer Book of 1662, and there was no rubric ordering the Bread and Wine to be placed on the Altar at any time in any Prayer Book from 1549 to 1662.

In 1573 Robert Johnson, chaplain to Lord Bacon, was charged "with omitting to repeat the words of institution, when more wine was required than had been consecrated." He pleaded "The Book appointed no such order," which was a fact, nevertheless he was condemned. Omission *did* not mean prohibition.

In the Prayer Book of 1552 it is ordered "the Morning and Evening Prayer shall be used in such place of church, chapel or chancel, *and the Minister shall so turn him as the people may best hear.*" As the italicised words do not occur in the present Prayer Book, and Omission is (according to the Judicial Committee) Prohibition, the Minister is prohibited from making himself heard except during the Lessons.

EXTRACT FROM THE LORD CHANCELLOR'S SPEECH ON THE PUBLIC WORSHIP
REGULATION BILL.

"It was extremely difficult for any layman (*qy. Lawyer*) to be satisfied with the decisions which had been given, which could *not be reconciled* with each other. Now these decisions could not be regarded as final. If the Judicial Committee's decisions were looked to, it would be found that in one case of great importance in which a decision had been given it had been altered by the same tribunal."—See "*Standard*," Friday, June 6th, 1874.

An application for a re-hearing of the *Purchas Case* was refused on the grounds of the "GRAVE PUBLIC MISCHIEF THAT MIGHT ARISE FROM ANY DOUBT BEING THROWN ON THE FINALITY OF THE DECISIONS OF THE COMMITTEE, and that EXPEDIENCY REQUIRED THAT THE PRAYER OF THE PETITION SHOULD NOT BE ACCEDED TO!"

IN THE BILL OF COSTS

Presented, by the Proctors for the Church Association, to the Rev. A. H. Mackonochie, exceeding, before taxation, Four Hundred Pounds, and relating only to that part of the Case heard on Dec. 4th, 1869, the following items occur :—

July, 1869.	£	s.	d.
Attending Mr. Pond, instructing him to attend St. Alban's on Sunday, July 11th	0	6	8
Taking his statement and fair copy ...	0	18	4
Paid him for his attendance ...	2	2	0

Attending Mr. Pond, instructing him to attend the early Communion on July 12th (<i>i.e.</i> , the next day, Monday) and four following days ...	0	6	8
Taking his statement and fair copy ...	0	18	4
Paid him for his attendance ...	5	5	0

(Two guineas for Sunday, one each week-day.)

Three persons were employed.

Similar entries occur all through, exceeding in the whole One Hundred Pounds.

Though judgment was given in Mr. Mackonochie's favour on two charges out of three, he was ordered to pay the whole costs.

THOMAS LAYMAN,
ELIJAH CORNISH,

Churchwardens, St. Alban's.

321926

Author Saint Alban's Defence Committee

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